The City Council of the City of Raleigh met in regular session on Tuesday, June 21, 1983, at 1:00 p.m. in the City Council Chamber of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb
Mr. Calloway
Mr. Edwards
Mr. Jordan
Mr. Keller
Mr. Walters
Mr. Upchurch

Mayor York called the meeting to order and invocation was rendered by the Reverend C. W. Ward of the First Baptist Church, after which, the following matters were discussed with action taken as shown.

RECOGNITION OF SPECIAL AWARDS

SIR WALTER RALEIGH COMMUNITY APPEARANCE AWARD - PROGRAM ANNOUNCED; FIRST AWARD PRESENTED TO HARRIS WHOLESALE, INCORPORATED

Mayor York called on Councilman Upchurch to explain the Sir Walter Award for Community Appearance. Mr. Upchurch indicated he was very happy to be a part of the inauguration of this new program. He stated about a year ago, members of the City Council, Appearance Commission and others were inspired by one particular business that went beyond the extra mile in creating a good appearance in what is usually a smoke stack area. He indicated the City began working on a program for making an award each year for Community Appearance. He explained the Sir Walter Award for Community Appearance pointing out in years to come it will be presented in four different categories and will be coordinated with The Home and Garden Show. He explained how the awards will be judged, the panel that will be set up to judge and make recommendations on the award. He stated because the City was inspired by this one business, the Council agreed to inaugurate this program by presenting an award to Harris Wholesale, Incorporated for their work in Harris Park.

Mayor York called on Larry Harris, representing Harris Wholesale. The Mayor read a proclamation commending Harris Wholesale for the outstanding landscaping and development and the fact that the City Council wanted to present them with the first Sir Walter Award for Community Appearance. The proclamation read by Mayor York indicated that this award will be presented each and every year hereafter. In accepting the proclamation and the plaque, Mr. Harris indicated that making friends is their business. He indicated they want to be a viable and visible part of their community. He explained they sort of fell in to this particular project and it started out as a notion and developed into a good project. Mr. Harris introduced Frank Cross, Architect on the project, and expressed appreciation to all involved in making this project more than just a notion.

PROCLAMATION - GIVE 'EM A HAND WEEK - PROCLAIMED

Mayor York called on Steven Ramey, Director of the Tammy Lynn Center, Carl Hibbert, Chairman of the Board of Directors. Along with Mr. Ramey and Mr. Hibbert were a number of children from the Tammy Lynn Center. Mayor York read a proclamation proclaiming the week June 27 through July 2 as,"Give 'Em A Hand Week," and explained a concert being sponsored by Maxwell House in which contributions will be given to the Tammy Lynn Center. In accepting the proclamation, Mr. Hibbert expressed appreciation from the Board of Directors of the Tammy Lynn Center for the City showing the support of their program. He indicated the Tammy Lynn Center provides for the needs of handicapped children.

CONTRIBUTION - CEDAR HILLS/ROTARY - CONTRIBUTIONS RECEIVED

Mayor York called on Phil Shedan, past President of the North Raleigh Rotary Club and Frank Bouknight. Mr. Shedan presented a check in the amount of $500 indicating this is a continuation of the annual contribution of the North Raleigh Rotary Club and the funds are to be used in the further development of the Cedar Hills/Rotary Club Park. He indicated it is to show appreciation of the good work of the Parks and Recreation Department of the City. See Ordinance 133.

INDEPENDENT INSURANCE AGENTS - FUNDS RECEIVED

Roy Denkins, President of the Independent Insurance Agents, was at the meeting and presented a check in the amount of $3,542.50 to be utilized to purchase oxygen tanks and masks for the Fire Department. He indicated that these funds will purchase an oxygen tank and mask on each fire truck and some with reserve. He indicated these are to be utilized as a first response to cardiac arrest patients. City Manager Zachary accepted the check and expressed appreciation on behalf of the City Administration.

FLAGS - CITY AND STATE - ACCEPTED

Mayor York called on Councilman Edwards for this presentation. Mr. Edwards introduced Don Beard, Secretary of Lodge 991 of the Local Woodmen of the World. Mr. Edwards indicated recently he welcomed the 1983 State Convention of the Woodmen of the World to Raleigh. He indicated that convention was attended by between 800 and

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establish budgetary appropriation for Wake County Public Schools CETA subcontract from July 1, 1983, to September 8, 1983:

From:	03-2-5400-534	Contingency	$25,446.00
To:	03-2-5460-100	Wake Schools (Eqpt.)	$25,446.00

1000 people. He stated during the convention the Woodmen presented a U.S. Flag and City of Raleigh Flag. He indicated these flags will be displayed at the new Municipal Building in the public area as you approach the City Council Chamber. On behalf of the Council, Mr. Edwards expressed appreciation to the Woodmen for this contribution.

CERTIFICATES OF APPOINTMENT - PRESENTED

Mayor York explained the presentation of certificates of appointment. He presented the following certificates: Appearance Commission - Lidia White; Downtown Advisory Committee - Norma Burns, Mac Jones, Perry Safran, Clifton L. Woodlief; Fair Housing Hearing Board - Robert Learoyd; Mayor's Committee for Services to the Handicapped - Barbara Faircloth; Planning Commission - Thomas C. Worth, Jr.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Consent Agenda indicating all items are considered to be routine and may be enacted by one motion. He pointed out if the Councillor requests discussion on an item, the item will be removed from the Consent Agenda and considered separately and the vote on the Consent Agenda will be a roll call vote. MAYOR YORK REQUESTED TO BE EXCUSED FROM PARTICIPATION IN THE ITEM RELATING TO A PRIVILEGE LICENSE FOR THE UPPERCLASSMAN LOUNGE, AS IT IS LOCATED IN A SHOPPING CENTER OWNED BY HIS COMPANY. Mr. Edwards requested TO BE EXCUSED FROM PARTICIPATION IN THE ITEM RELATING TO A PROPOSED SANITARY SEWER EASEMENT FOR NORTHCHASE LAND COMPANY. He pointed out, even though this is a dedication to the City, that his policy is

Approval of the reclassification is recommended. Consent Agenda approval - Upchurch/Babb - 8 ayes.

POPULATIONS PROGRAM - INTERIM BUDGET - APPROVED

This is a request for permission to use City funds, only in this program, in the first quarter of the next fiscal year. This will enable the program to continue present operations until matching funds are received from Wake County Area Mental Health. A copy of the proposed first quarter budget was included with the Council Members' Agenda packets. Approval is recommended. Consent Agenda approval - Upchurch/Babb - 8 ayes.

ORDINANCE NO. (1983) 132

AN ORDINANCE TO PROVIDE INTERIM BUDGETING FOR THE SPECIAL POPULATIONS PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following funds are established to cover necessary budgeted expenses for the first quarter of fiscal year 1983-1984 in the Special Populations Program:

INTERIM BUDGET REQUEST
SPECIAL POPULATIONS PROGRAM
JULY 1 - SEPTEMBER 30, 1983

ACCOUNT NO.	ACCOUNT TITLE	AMOUNT NEEDED	JUSTIFICATION
02-2-6690-000	AMH-Spec. Population	-0-	
02-2-6690-100	Salaries	$42,000	1/4 total fulltime and part-time plus 3/4 total summer staff
02-2-6690-101	Fringe Benefits	4,500	1/4 total fulltime plus 3/4 total part-time
02-2-6690-102	Audit	125	
02-2-6690-213	Registration & Subscription	150	
02-2-6690-225	Repairs, Bldgs. & Grounds	20	
02-2-6690-226	Repairs, Office Equip.	40	
02-2-6690-228	Telephone & Postage	20	
02-2-6690-230	Motor Vehicle M&O	5,000	1/2 total due to extensive summer of all 3 vehicles
02-2-6690-231	Travel	500	3/4 necessary to take 3 out-of-town trips with participants
02-2-6690-237	Car & Bus Rental	775	
02-2-6690-240	Photography & Printing	100	
02-2-6690-260	Office & Other Supplies	250	
	Athletic Supplies	75	

RESOLUTION NO. (1983) - 267

RESOLUTION FOR THE ASSURANCE OF AVAILABILITY OF MATCHING FUNDS FOR SANDERFORD ROAD PARK GRANT

State of North Carolina
County of Wake

WHEREAS, at the June 21, 1983, meeting of the City Council of the City of Raleigh, a motion was made and duly seconded that the City Council of the City of Raleigh agrees to the following: In the event a Land and Water Conservation Fund grant is awarded by the Department of Natural Resources and Community Development, the City Council of the City of Raleigh certifies and assures that it has the ability and intention to finance its 75% share of the total project cost of $200,000.

CITY OF RALEIGH

BY: /s/ Edward A. Walters
Mayor

/s/ Phyllis F. Williamson
Notary Public
My commission expires January 30, 1985.

(SEAL)

RESOLUTION NO. (1983) - 274

RESOLUTION AUTHORIZING THE DEVELOPMENT OF SANDERFORD ROAD PARK BY THE RALEGH CITY COUNCIL

WHEREAS, the Land and Water Conservation Fund Act of 1965 provides for the making of grants by the National Park Service, Department of the Interior of the United States Government to States and to local municipalities in support of Outdoor Recreation projects and such funds are available after approval of the appropriate State Agency and the National Park Service; and

WHEREAS, the State is required to insure that there will be no discrimination against any person of any race, color, sex, creed, or political affiliation; and

WHEREAS, the City Council of the City of Raleigh realizes that additional recreational facilities are needed to meet the full recreational needs of the people of Raleigh; and

WHEREAS, it is believed that said Council with the assistance of the general pulbic is now in a position to lend full support to the development of Sanderford Road Park.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

(1) That an application be made to the National Park Service, Department of the Interior of the U. S. Government through the State of North Carolina for a development grant of $50,000 which represents twenty-five percent (25%) of all costs ($200,000) including preparation, plans, and construction of recreational facilities to be completed in the fiscal year 1983-84.

(2) That the City Manager of the City of Raleigh be authorized and directed to file such application on behalf of the City of Raleigh, to provide additional information and furnish such documents as may be required by the National Park Service and the State of North Carolina and to act as the authorized correspondent of the City of Raleigh.

(3) That the Director, National Park Service, Department of Interior of the United States Government be, and hereby is assured of full compliance by the applicant with the regulations promulgated pursuant to Title VI of Civil Rights Act of 1964.

I move the adoption of the foregoing resolution.

Mr. Upchurch
Council Member

Seconded by: Ms. Babb
Council Member

Read, approved and adopted, this 21st day of June, 1983.

/s/ Edward A. Walters
Mayor

/s/ Gail G. Smith
(Deputy) City Clerk

APPROVED AS TO FORM:
/s/ Francis P. Rasberry, Jr.
Associate City Attorney

STREET CONDITION ANALYSIS - CONTRACT WITH UNC INSTITUTE OF TRANSPORTATION RESEARCH AND EDUCATION - APPROVED - FUNDS APPROPRIATED

The UNC Institute for Transportation Research and Education is available to assist the City in conducting a complete analysis of roadway-pavement conditions for City streets. This program is similar to the system which has recently been used by the North Carolina Department of Transportation. The benefits of this effort would be a complete inventory of each street segment and its roadway condition, an identification of streets with priority maintenance problems, and data which can help the City prepare its annual street improvement programs. This project would commence this fall and data would be available in February, 1984. It is recommended that the following Transfer of Funds be approved to allow the City to confirm this project with the Institute. The cost is $20 per mile for approximately 510 miles of streets or a total of $10,200.

From:	01-1-1040-001	Contingency	$10,200.00
To:	01-2-5020-266	Special Services	$10,200.00

Consent Agenda approval - Upchurch/Babb - 8 ayes. See Resolution 268 TF 48.

TAXICAB OWNER'S PERMIT - APPROVED ON SECOND AND FINAL READING

During the June 7, 1983, Council Meeting, an application for a taxicab owner's permit in the name of Johnny Nyaga Kagau, Safeway Cab Company (New Individual Owner's Permit) was approved on the first reading. IT WOULD BE APPROPRIATE TO CONSIDER APPROVING THE TAXICAB OWNER'S PERMIT AS OUTLINED ON A SECOND AND FINAL READING. Consent Agenda approval - Upchurch/Babb - 8 ayes.

TAXICAB OWNER'S PERMIT - APPROVED ON FIRST CONSIDERATION - TO BE PLACED ON THE 7/5/83 AGENDA

Application has been received from the following to operate a taxi. The application has been checked and meets the requirements of Section 12-2053 of the City Code. Approval is recommended. If approved, the application will be placed on the July 5, 1983, Agenda for second and final consideration.

Jim Rhodes, Airline Cab Company, (New Individual Owner's Permit). Consent Agenda approval - Upchurch/Babb - 8 ayes.

LIMOUSINE SERVICE FRANCHISE - APPROVED ON FIRST READING - TO BE PLACED ON 7/5/83 AGENDA

Application has been received from the following to operate a limousine service. The application has been checked and meets the requirements of the City Code. Approval is recommended. If approved, this application will be placed on the Agenda for July 5, 1983, for second and final consideration.

Clyde Hood Johnson, Johnson Limousine Service (New Franchise)

Consent Agenda approval - Upchurch/Babb - 8 ayes.

BRYANT DURHAM ELECTRIC COMPANY - RETAINAGE REDUCTION AUTHORIZED

Administration has received a request from Bryant Durham Electric Company, through Olsen Associates, that the retainage on the electrical contract at the E. M. Johnson Water Plant Expansion be reduced from 10 percent to 5 percent.

The state of the construction is that the construction completed plus stored materials total approximately 89 percent of the value of their contract. It is requested that the retainage be reduced to 5 percent for this contract. Consent Agenda approval - Upchurch/Babb - 8 ayes.

BUDGET AMENDMENTS - COMMUNITY DEVELOPMENT DEPARTMENT - APPROVED

The Agenda presented a budget amendment in the amount of $34,950 to provide funds for the rehabilitation of 211 Freeman Street and $100,000 to utilize income for acquisition in Downtown East. The Agenda listed the revenue and expense accounts that would need to be amended. ADMINISTRATION RECOMMENDS APPROVAL OF THE AMENDMENTS AS OUTLINED. Consent Agenda approval - Upchurch/Babb - 8 ayes.

ORDINANCE NO. (1983) 133

AN ORDINANCE TO AMEND THE 1982/1983 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1982/1983 Budget be amended as follows to accept contribution from North Raleigh Rotary Club:

Income:	37-1-0070-200	Misc. Income	$500.00

Expense: 37-2-3000-186 Cedar Hills - Beaut. $500.00

Section 2. That the 1982/1983 Budget be amended as follows to utilize income for acquisition in Downtown East:

Income:	43-1-4000-101	Program Income	$100,000.00
Expense:	43-2-4050-100	ED Acquisition	$100,000.00

Section 3. That the 1982/1983 Budget be amended as follows to provide funds for the rehabilitation of 211 Freeman Street:

Income:	43-1-4000-101	Program Income	$34,950.00
Expense:	43-2-4030-101	Rehab. for Resale	$34,950.00

Adopted: 6/21/83

PRIVILEGE LICENSE - REFUND REQUEST - AUTHORIZED

Mr. Tom Burrell, owner of Basic Electric Company, address P. O. Box 577, Indian Trial, North Carolina, has given written request for a refund of $25 for the 1982-83 privilege license tax year. The reason for this request is an overpayment of this year's taxes.

Administration has reviewed and it has been verified that this is a valid request. It is recommended that the request for refund be approved. Consent Agenda approval - Upchurch/Babb - 8 ayes.

CETA CONTRACT - CITY MANAGER APPROVAL - INFORMATION RECEIVED

On June 15, 1983, the City Manager signed a contract with Su Casa Mexican Food, which provides training for one person. The contract period is for two months and will have a total CETA cost of $710.20. The item was received as information without comment.

CAPITAL FUND ITEM - STREET RESURFACING - FUNDS APPROPRIATED

The Agenda presented a Capital Fund Item in the amount of $302,410.39 relating to the 1983 street resurfacing contract. ADMINISTRATION RECOMMENDS APPROVAL OF THE CAPITAL FUND ITEM AS PRESENTED. Consent Agenda approval - Upchurch/Babb - 8 ayes. See Resolution 268 TF 48.

BILTMORE HILLS/RIDGE ROAD POOL - CHANGE ORDER G-3 - APPROVED

This was a change order which is an addition of $611.00 relating to the Clancy and Theys contract. The change order is needed as the doors to the water heater room were designed too small to accommodate the water heater. The Agenda indicated the City Manager has administratively approved this change order according to Council procedure. The item was received as information.

BILTMORE HILLS/RIDGE ROAD POOL - CHANGE ORDERS G-2 AND G-4 - APPROVED - FUNDS APPROPRIATED

Change Order G-4 is an addition of $1,238.00 and it is needed to provide erosion control measures in the area of Stillwater Drive at Ridge Road. Change Order G-2 is an addition of $5,178.00 and is needed because there was an error in survey and roadway design. The Agenda presented the budget accounts that should be amended if the change orders are approved. ADMINISTRATION RECOMMENDS APPROVAL OF THE CHANGE ORDERS AND TRANSFER OF FUNDS AS OUTLINED. Consent Agenda approval - Upchurch/Babb - 8 ayes.

UTILITY FIELD OPERATIONS CENTER - CHANGE ORDER GC-2 - APPROVED; FUNDS APPROPRIATED

The Agenda presented change order GC-2 which is an addition of $17,490.00 relating to the Utility Field Operations Center. The Agenda listed the reason for the change order and the budget accounts that would need to be amended if the change order is approved. ADMINISTRATION RECOMMENDS APPROVAL OF THE CHANGE ORDER AND TRANSFER OF FUNDS AS OUTLINED. Consent Agenda approval - Upchurch/Babb - 8 ayes. See Resolution 268 TF 48.

TRANSFERS - ADMINISTRATIVE - MANAGER'S ACTIONS CONCURRED WITH

Council Members received in their Agenda packet a list of Administrative transfers which have been approved according to Council procedure. CONCURRENCE WITH THE MANAGER'S ACTION IS RECOMMENDED. Consent Agenda approval - Upchurch/Babb - 8 ayes. The transfers were as follows:

From	To	Amount
01-2-1100-265	01-2-1100-260	$ 50.00
02-2-6680-231	02-2-6680-260	200.00
43-2-4090-260	43-2-4090-236	14.38
01-2-1040-001	01-2-1020-260	250.00
01-2-1040-001	01-2-1010-265	175.00

01-2-1040-001	01-2-1020-221	46.80
01-2-1210-235	01-2-1210-211	600.00
81-2-1000-300	81-2-1045-103	10.00
19-2-8310-534	19-2-8310-200	30.00
19-2-8260-534	19-2-8260-200	600.00
01-2-1030-213	01-2-1030-211	34.00
01-2-1030-213	01-2-1030-211	37.00
01-2-1200-240	01-2-1200-704	520.00
01-2-4030-243	01-2-4020-219	230.00
01-2-5060-243	01-2-5060-230	934.11
01-2-1080-260	01-2-1080-213	50.00
01-2-1090-703		180.00
01-2-1090-704		281.00
01-2-1090-236		300.00
	01-2-1090-260	921.00
01-1-1200-260	01-2-1200-704	160.00
01-2-6000-731	01-2-6000-260	150.00
01-2-5010-231	01-2-5010-230	281.82
	01-2-5010-701	.30
01-2-5050-239	01-2-5050-265	218.00
01-2-4110-213		119.05
01-2-4120-213		107.50
01-2-4130-213		7.26
	01-2-4110-260	233.81
43-2-4090-228	43-2-4090-213	121.00
01-2-4130-227	01-2-4110-257	208.00
01-2-4110-705	01-2-4110-233	453.60
42-2-9010-292	42-2-9010-228	250.00
38-2-1000-100	38-2-2010-101	611.00
01-2-1130-213	01-2-1130-260	100.00

TRANSFERS - WITHIN VARIOUS ACCOUNTS - RESOLUTION AND ORDINANCE ADOPTED

The Agenda presented a list of recommended transfers within various accounts and appropriations from contingencies for purposes as set out. ADMINISTRATION RECOMMENDS APPROVAL OF THE TRANSFERS AND APPROPRIATIONS. Consent Agenda approval - Upchurch/Babb - 8 ayes.

RESOLUTION NO. (1983) 268 TF 48

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 29, 1982, and included in the budget for the fiscal year ending June 30, 1983, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	34-2-3805-100	Municipal Complex	$6,829.00
To	34-2-3805-105	Plumbing	6,079.00
To	34-2-3805-104	Misc.	750.00

Purpose: Change Order - Municipal Building - #P-1, Triangle Mechanical Associates.

From	32-2-4484-000	PW 1982-83 St. Resurfacing	$300,000.00
From	32-2-4484-104	PW 1982-2 Dr. Ad/Testing	2,410.39
To	32-2-4485-101	PW 1983-A Resurfacing	300,000.00
To	32-2-4485-104	PW 1983-D Ad/Testing	2,410.39

Purpose: PW 1983-2 - Street Resurfacing - to fund to low bid plus misc. expense.

From	38-2-1000-100	Council Reserve	$1,238.00
To	38-2-2010-101	Swimming Pool A	1,238.00

Purpose: Biltmore Hills and Ridge Road Pools - G-4, Clancy & Theys.

From	38-2-1000-100	Council Reserve	$5,178.00
To	38-2-2010-101	Swimming Pool A	5,178.00

Purpose: Biltmore Hills and Ridge Road Pools - G-2, Clancy & Theys.

From	84-2-1110-000	54" Water Trans. Main	$17,490.00
To	84-2-1010-101	Operations Center - General	17,490.00

Purpose: Change Order - Utility Field Operations Center - Centurion Construction Company, Inc. GC-2.

From	01-2-1040-217	Umbrella Lia. Policy	$10,272.00
To	01-2-1040-211	Police Liability	10,272.00

Purpose: For extended discovery endorsement.

From	43-2-4050-103	ED Other	$196,702.00
To	43-2-4051-100	CEDCO-Loan Supplement	187,202.00
To	43-2-4051-101	Consultants & Counseling	5,000.00
To	43-2-4051-102	Administration	-0-
To	43-2-4051-103	Office Supplies	1,000.00
To	43-2-4051-104	Audit Fees	1,000.00
To	43-2-4051-105	Travel	750.00
To	43-2-4051-106	Postage & Telephone	700.00
To	43-2-4051-107	Legal Fees	500.00
To	43-2-4051-108	Dues & Subsc.	350.00
To	43-2-4051-109	Printing	200.00

Purpose: To establish budgetary accounts for Capital Economic Development Corporation per contract with City of Raleigh.

From	43-2-4050-101	ED Relocation	$70,000.00
To	43-2-4050-100	ED Acquisition	70,000.00

Purpose: To provide additional funds for acquisition in Downtown East.

From	43-2-9070-300	Rehab. L&G	$10,000.00
To	43-2-9060-300	Rehab. Resale	$10,000.00

Purpose: To provide sufficient funds for completion of 519 East Lenoir Street rehabilitation.

From	43-2-4040-100	Relocation	$21,475.00
To	43-2-4010-261	Indirect Cost Alloc.	21,475.00

Purpose: To provide funds for fiscal 82/83 indirect costs.

From	43-2-4010-100	Salaries	$18,500.00
From	43-2-4010-101	Fringes	2,850.00
From	43-2-4010-237	Auto Reimb.	125.00
To	43-2-4200-100	Salaries	18,500.00
To	43-2-4200-101	Fringes	2,850.00
To	43-2-4200-237	Auto Reimb.	125.00

Purpose: To transfer one position from Administration to human services support.

From	01-2-1220-260	Office & Other Supplies	$1,200.00
To	01-2-1220-226	Repairs to Offc. Equip.	1,200.00

Purpose: To provide funds for reupholstering side chairs, drafting chairs that will be taken to new Municipal building.

From	19-1-0040-130	Interest on Investments	$2,390.59
To	19-1-1000-101	Community Watch Signs	2,390.59

Purpose: To Supplement account.

From	81-2-1060-103	Kingswood Easement	$2,500.00
To	81-2-1060-105	Kingswood Sewer Removal	2,500.00

Purpose: To cover the tree removal along the proposed sewer route which was part of the easement agreement.

From	01-2-5030-261	Landfill M&O	$281.25
To	06-1-0070-200	Misc. Income	281.25

Purpose: For straw purchased to use for erosion control & mulching at City Landfill.

From	01-2-5030-703	24 Yard Front Loader	$1,235.52
To	06-1-0070-200	Misc. Income	1,235.52

Purpose: Repair damage to hydrant caused by wreck of sanitation vehicle.

From	01-2-5060-225	Rep. to Bldg. & Stru.	$93.84
To	06-1-0070-200	Misc.	93.84

Purpose: To pay Public Utilities for services rendered 3/3/83.

From	01-2-1130-213	Registrations	$100.00
From	01-2-1130-226	Repairs to Office Equipment	300.00
From	01-2-1130-231	Travel	400.00
From	01-2-1130-266	Interpreter Services	400.00
From	01-2-1130-237	Car Rental	385.00
To	01-2-1130-221	Printing	1,585.00

Purpose: To cover additional costs of typesetting, color separations, etc. for Annual Report.

From	42-2-9010-292	Misc. Other Services	$1,500.00
To	42-2-9010-205	Audit	1,500.00

Purpose: To cover cost of audit.

From	05-2-0000-001	Res. Future Debt.	$161,750.00
To	05-2-0000-201	Bond Trust	161,750.00

Purpose: To provide funds for interest costs on the 11-9-82 Park Bond Sale.

From	07-2-0000-201	Res. Future Debt.	$584,200.00
To	07-2-0000-202	Bond Int.	584,200.00

Purpose: To provide funds for interest costs on the 11-9-82 Water & Sewer bond sale.

From	32-2-5000-150	Yadkin Street Bridge	$15,000.00
From	32-2-5000-151	Yadkin Street Bridge	2,000.00
From	32-2-5000-160	Fayetteville Street Bridge	17,000.00
From	32-2-5000-161	Fayetteville Street Bridge	2,000.00
To	32-2-5000-102	P. W. 1983-3 B	32,000.00
To	32-2-5000-104	PW 1983-D Ad/Testing	4,000.00

Purpose: Fund engineering, subsurface exploration, advertising and testing.

From	38-2-3040-100	Green Road	$25,500.00
To	38-2-3040-102	Green Road B	25,500.00

Purpose: To meet the design cost as the project budget was expanded.

Adopted: 6/21/83

ORDINANCE NO. (1983) 134 TF 21

AN ORDINANCE TO AMEND THE 1982/1983 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That $74,498.10 of the General Fund Contingency appropriation, Code Account 01-2-1040-001, is hereby transferred from that appropriation and added to the appropriations made in the 1982/1983 budget ordinance as follows:

$20,000.00 to Code Account 01-2-1040-301, City Forum - Raleigh Tomorrow, to set up account to fund Raleigh Tomorrow Forum.

$29,602.02 to Code Account 01-2-1040-206, Cable Consultants, to supplement account to cover final bill from Cable Consultants.

$22,796.08 to Code Account 01-2-4110-233, M&O, for repairs to two fire pumpers.

$1,900.00 to Code Account 01-2-4020-242, Animal Board, to supplement account.

$10,200.00 to Code Account 01-2-5020-266, Special Services, to allow City to confirm Street Condition Analysis with UNC Institute for Transportation Research and Education.

Section 2. That $61,950.00 of the Public Utilities Contingency appropriation, Code Account 06-2-7100-002, is hereby transferred from that appropriation and added to the appropriations made in the 1982/1983 budget ordinance as follows:

$60,700.00 to Code Account:

06-2-7030-100	Salaries	$22,700.00
06-2-7050-100	Salaries	9,000.00
06-2-7040-100	Salaries	23,000.00
06-2-7090-100	Salaries	6,000.00

Purpose: to provide sufficient funds for remainder of fiscal year.

$1,250.00 to Code Account 06-2-7090-265, Other Services, for initial payment (installation) on security system lease for Operations Center.

Adopted: 6/21/83

BID 82-62 - RADIO TELEMETRY AND MONITORING SYSTEM - BID AWARDED TO THE TURBITROL COMPANY

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on June 9, 1983, for Radio Telemetry and Monitoring System with results as follows: The Turbitrol Company - $184,983.00; Roberts Filter Manufacturing Company - $257,312.00. ADMINISTRATION RECOMMENDS THE AWARD BE MADE TO THE TURBITROL COMPANY. Consent Agenda approval - Upchurch/Babb - 8 ayes.

BID REQUEST 82-64 - SOIL COMPACTORS (8) - BID AWARDED TO NORTH CAROLINA EQUIPMENT COMPANY

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on June 9, 1983, for eight (8) soil compactors, less trade of five (5) units with results as follows: North Carolina Equipment

Company - $9,100.00; J. W. Burress, Incorporated - $9,965.04; Contractors Service and Rentals - $11,112.00; Interstate Equipment Company - $11,900.00; Spartan Equipment Company - $12,660.00. ADMINISTRATION RECOMMENDS THE LOW BID SUBMITTED BY NORTH CAROLINA EQUIPMENT COMPANY BE AWARDED. Consent Agenda approval - Upchurch/Babb - 8 ayes.

BIDS - 1983 RESURFACING PROJECT - BID AWARDED TO REA CONSTRUCTION COMPANY

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the City Engineer on June 13, 1983, for the annual resurfacing contract with results as follows: REA Construction Company - $414,423.35; C. C. Mangum, Incorporated - $480,265.65; Oscar Miller Construction Company - $490,022.20. ADMINISTRATION RECOMMENDS THE LOW BID SUBMITTED BY REA CONSTRUCTION COMPANY BE AWARDED. Consent Agenda approval - Upchurch/Babb - 8 ayes.

PU 1983-10 - RAWLS DRIVE AREA - RESOLUTION OF INTENT ADOPTED

It is recommended that approximately 3171 (±) feet of 8-inch sanitary sewer main be installed at the above location. Estimated cost is $90,000. It is recommended that assessment be on the front footage method along Sunnybrook Road and abutting footage method along the easement section. The request was made by Audrey Denton and Grace Baptist Church. It is requested that Council adopt a resolution of intent and set a public hearing date for July 19, 1983. Consent Agenda approval - Upchurch/Babb - 8 ayes.

RESOLUTION NO. (1983) 269

A RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL TO EXTEND THE SEWER SYSTEM OF THE CITY OF RALEIGH AND ASSESS THE COST AGAINST LAND ASSESSABLE THEREFOR AND SETTING A PUBLIC HEARING TO CONSIDER THE QUESTION

WHEREAS, the City Council of the City of Raleigh is authorized by Article 10 of Chapter 160A of the General Statutes of North Carolina to direct that the sewer system of the City of Raleigh be constructed, reconstructed, extended and otherwise improved and the cost thereof to be assessed against lands assessable therefor; and

WHEREAS, the City Council of the City of Raleigh finds it to be in the best public interest to construct sewer mains located and described as follows:

PU 1983-10 - Installation of 3,171 feet ± of 8-inch sanitary sewer main within an easement from Rawls Drive to Sunnybrook Road and within Sunnybrook Road beginning in the 400 block and continuing southward 1,333±.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is intended that the above described improvements be made and that the costs thereof be assessed against property abutting thereon pursuant to and by virtue of the provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina.

Section 2. That 100 percent of the total cost of said improvements which can be assessed according to the provisions of Part 8, Chapter 2, Article B, Section 8-2033 et seq. of the City Code by assessed against the property receiving the improvement. Assessments will be made according to the following method: Front footage method along Sunnybrook Road and abutting footage method along the easement section.

Section 3. That the terms and manner of payment of the assessments herein provided for shall be as follows: That said assessments shall be payable in cash or, if any property owner shall so elect and give notice of fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6 percent per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 4. That a public hearing on all matters covered by this resolution shall be held on the 19th day of July, 1983, at 7:00 p.m., in the Council Chamber, Room 315, Municipal Building, or as soon thereafter as the matter can be reached.

Adopted: June 21, 1983

TRAFFIC - VARIOUS CHANGES - ORDINANCES ADOPTED

The Agenda presented recommended changes in the traffic code relating to 50-foot corner clearance on Quail Ridge Road at Spring Forest Road, no parking on Jamestown Circle and Yorktown Place, truck loading zone - Martin Street, stop sign installation on Port Royal Road at Quail Ridge Road and traffic signal and lane channelization on Lynn Road and Six Forks Road. ADMINISTRATION RECOMMENDS APPROVAL WITH THE UNDERSTANDING THAT THE EFFECTIVE DATES WOULD BE AS OUTLINED ON THE AGENDA. Consent Agenda approval - Upchurch/Babb - 8 ayes.

ORDINANCE NO. (1983) 135

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule 1A entitled "TRAFFIC SIGNALS" be amended by adding the following:

Lynn Road and Six Forks Road

Section 2. That Traffic Schedule No. 6B1 entitled "CHANNELIZATION" be amended by adding the following:

Six Forks Road, southbound at Lynn Road

Section 3. That Traffic Schedule No. 6B3 entitled "CHANNELIZATION" be amended by deleting the following:

Lynn Road, westward at Six Forks Road

Section 4. That Traffic Schedule No. 6C3 entitled "CHANNELIZATION" be amended by adding the following:

Lynn Road at Six Forks Road
Six Forks Road, northbound at Lynn Road

Section 5. That Traffic Schedule no. 13 entitled "NO PARKING" be amended by adding the following:

Quail Ridge Road, east side and west side, from Spring Forest Road, southward 50'
Yorktown Place, west side, from Browning Place, northward 107 feet
Yorktown Place, east side, from Browning Place, northward including the circumference of the cul-de-sac
Jamestown Circle, east side, from Browning Place, northward 125 feet

Amend said section further by deleting the following:

Jamestown Circle, in its entirety
Yorktown Place in its entirety

Section 6. That Traffic Schedule No. 18 entitled "TRUCK LOADING ZONE" be amended by adding the following:

Martin Street, north side, from Fayetteville Street Mall, eastward 20 feet

Section 7. That all laws and portions of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. That this ordinance shall become effective June 28, 1983.

Adopted: 6/21/83

Effective: 6/28/83

ORDINANCE NO. (1983) 136

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH NECESSARY FOR THE IMMEDIATE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That Schedule No. 2 entitled "STOP SIGNS" be amended by adding the following:

Port Royal Road at Quail Ridge Road

Amend said Section further by deleting the following:

Quail Ridge Road at Port Royal Road

Section 2. That all laws and portions of law thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance, being an emergency ordinance, shall become effective upon its adoption.

Adopted: 6/21/83

Effective: 6/21/83

THIS IS THE END OF THE CONSENT AGENDA.

TRANSFERS - PUBLIC UTILITIES DEPARTMENT - APPROVED
This was a transfer in the amount of $60,700.00 to provide sufficient funds for remainder of fiscal year necessitated by overtime, inventory and call duty. This

expense has been typically offset in the past by attrition. Mr. Upchurch indicated he had requested that this be withdrawn from the Consent Agenda. He questioned if this was due to an unusual situation or extra cost for treating water, or just what happened this year. Public Utilities Director Butler indicated this is contributed to the usual work load. He pointed out normally we have enough turnover in personnel to cover this type expense. He stated, however, basically because of the state of economy the Public Utilities Department had had fewer vacancies and less turnover than usual. After brief discussion, Mr. Upchurch MOVED THAT THE APPROPRIATION OF $60,700.00 FROM PUBLIC UTILITIES' CONTINGENCY BE AUTHORIZED AS OUTLINED. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 134 TF 21.

SPECIAL ITEMS

201 WASTE WATER FACILITIES PLAN UPDATE - RESOLUTIONS ADOPTED

The Mayor indicated at the June 7, 1983, Council Meeting, the City Council received a report on the proposed update of the 201 Waste Water Facilities Plan and it was directed that the item be placed on this Agenda for action. Mayor York indicated the other local governments involved have been notified of this proposal and have been invited to comment. Assistant City Manager Benton indicated we have received no comments from the other towns. He stated it is recommended THAT THE COUNCIL ADOPT THE RESOLUTION CONCURRING WITH THE UPDATE AND FORWARD IT TO THE STATE FOR THEIR CONSIDERATION AND EVALUATION. Mr. Walters moved the recommendation as outlined be upheld. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION 1983 - 270

RESOLUTION ACCEPTING AND AGREEING
TO AN UPDATE
TO THE TOWN OF GARNER, N. C. PORTION
OF THE WAKE COUNTY COMPLEX 201 FACILITY PLAN

WHEREAS, the Board of Aldermen of the Town of Garner, North Carolina has heretofore agreed to cooperate and participate in an update of the "Wake County Complex 201 Facility Plan" to provide the Town of Garner, North Carolina with a more fundable and cost-effective alternative for the disposal of their wastewater as required by Public Law 92-500, and in conformity with Federal Regulation governing facilities planning;

WHEREAS, the 201 Facilities Plan's section for the Town of Garner, North Carolina has been completed and reviewed by the Board of Aldermen of the Town of Garner;

WHEREAS, the Board of Aldermen of the Town of Garner, North Carolina has passed a resolution accepting and agreeing to the following revision;

THAT this update will include the deletion of this originally selected cost-effective "Pump to Raleigh" alternative for the handling of Garner's wastewater on the "Southside" only, in favor of the more cost-effective Land Application method of handling this area's wastewater;

THAT this update will also include the continuance of the originally selected cost-effective "Pump to Raleigh" alternative for the handling of the wastewater on Garner's "Northside" only;

THAT the "Northside" Alternative will "Pump to Raleigh" an average flow of 0.6 MGD with a peak flow of 0.9 MGD; all as provided by the update to the Town of Garner Section of the "Wake County Complex 201 Facility Plan."

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of Raleigh does hereby accept and agree to the above update to the "Wake County Complex 201 Facility Plan" as required by Public Law 92-500, and in conformity with Section 35.917-6 of the Rules and Regulations Governing Construction Grants for Waste Treatment Works.

Adopted this the 21st day of June, 1983 at 1:00 p.m.

/s/ Smedes York
Smedes York, Mayor

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing resolution was adopted by the City Council of the City of Raleigh at a duly called and held meeting of said Council of the 21 day of June, 1983, and is a true and correct copy of the original resolution, as recorded in the minutes of said meeting held on the day of its adoption, as above cited.

This the 23 day of June, 1983.

/s/ Gail G. Smith
City Clerk

CABLEVISION - ORDINANCE GRANTING NON-EXCLUSIVE FRANCHISE - ADOPTED ON SECOND AND FINAL READING

During the June 7, 1983, Council Meeting, Ordinance No. 1983-131 was adopted on the first reading. This is an ordinance granting a non-exclusive franchise to American Television and Communication Corporation. It would be appropriate to consider adoption of the ordinance on a second and final reading. Mr. Upchurch MOVED ADOPTION OF ORDINANCE NO. 1983-131 ON A SECOND AND FINAL READING. His motion was seconded by Mr. Calloway and put to a vote which resulted in all members voting in the affirmative except Ms. Babb, who voted in the negative. THE MAYOR RULED THE MOTION ADOPTED.

REPORT OF THE PLANNING COMMISSION

PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Planning Commission Consent Agenda indicating it would be handled in the same manner as the Regular Consent Agenda. Mr. Upchurch REQUESTED THAT CR-1991 (PA-173) BE WITHDRAWN. Mr. Keller REQUESTED THAT CR-1990 (GH-146) BE WITHDRAWN. Mr. Edwards indicated HE WOULD LIKE TO BE EXCUSED FROM PARTICIPATION IN ITEM CR-1995 (S-72-83). Without objection, Mr. Edwards was excused and the two items were withdrawn. Mr. Walters MOVED THAT THE PLANNING COMMISSION'S RECOMMENDATION ON THE REMAINING ITEMS ON THE CONSENT AGENDA BE UPHELD. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

The items on the Planning Commission Consent Agenda were as follows:

GH-144 - BARTON'S LANDING - APPROVED

This was a request for approval to construct 208 units on 22.2 acres, zoned Residential-10 (20.2 acres) and Conservation/Buffer (2 acres). The developer is transferring six (6) units from the Conservation/Buffer district to developable Residential-10 land. The maximum density transfer allowed is 10 units. The developer has reserved a 50-foot wide greenway along the eastern side of Lake Lynn, per Section 10-3019.

The property is located on the north side of proposed Lynn Road Extension, between Ray Road and Lake Lynn, outside the City Limits.

CR-1988 from the Planning Commission recommended that this request be approved according to a map entitled, "Barton's Landing," the property of Drexel Corporation, drawn by Jerry Turner and Associates, and Bass, Nixon and Kennedy, dated April 1, 1983, revised June 8, 1983. Consent Agenda approval - Walters/Calloway - 8 ayes.

GH-145 - LAKE LYNN WEST - APPROVED

This was a request for approval to construct 198 units on 21.37 acres, zoned Residential-10 (19.57 acres) and Conservation/Buffer (1.80 acres). The developer is transferring 11 units from the Conservation/Buffer district to developable Residential-10 land. The maximum density allowed is 18 units. The developer is dedicating approximately 1.3 acres to the City of Raleigh as a greenway easement.

The property is located north of Ray Road, between Leesville Road and Lake Lynn, outside the City Limits.

CR-1989 from the Planning Commission recommended that this request be approved according to a map entitled, "Lake Lynn West," the property of The Snyder-Hunt Corporation, drawn by Little and Little, dated May 18, 1983, revised June 1, 1983; and the acceptance of approximately 1.3 acres of greenway easement area dedicated to the City of Raleigh. Consent Agenda approval - Walters/Calloway - 8 ayes.

S-49-83 - THE OVERLOOK - APPROVED WITH CONDITIONS

This was a request for approval to subdivide a 10.09 acre tract which is zoned Residential-10 and is undeveloped into 32 townhouse lots and one (1) 5.5± acre lot and construct duplex townhouses.

The property is located on the south side of Lynn Road, just west of Six Forks Road, inside the City Limits.

CR-1992 from the Planning Commission recommended that this request be approved according to a map entitled, "The Overlook," the property of Jordan H. Parker, drawn by James A. Bridger, Jr., dated June 10, 1983, with the condition that the common party wall maintenance and cross access and parking agreements be reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval - Walters/Calloway - 8 ayes.

S-70-83 - WAYNERIDGE PHASE 2 - APPROVED WITH VARIANCE GRANTED

This was a request for approval to subdivide a 5.7 acre tract which is currently undeveloped into nine (9) multi-family lots, zoned Residential-6.

The property is located on the north side of Wayne Street, just east of Jones-Franklin Road, outside the City Limits.

CR-1994 from the Planning Commission recommended that this request be approved according to a map entitled, "Wayneridge, Phase 2," the property of Wayneridge Associates, Inc., drawn by B. Kenneth Martin, dated May 2, 1983; and that the request for a variance for sidewalk construction along Wayne Street be granted. Consent Agenda approval - Walters/Calloway - 8 ayes.

S-72-83 - HOLLIFIELD SUBDIVISION - APPROVED

This was a request for approval to subdivide a 1.8 acre tract into two (2) lots, zoned Residential-4. Lot 1 is developed with a single-family house.

The property is located on the west side of Lake Wheeler Road, just south of Sierra Drive, outside the City Limits.

CR-1995 from the Planning Commission recommended that this request be approved according to a map entitled, "Hollifield Subdivision," the property of Mrs. Nell Hollifield, drawn by John A. Edwards and Company, dated May 19, 1983. Consent Agenda approval - Walters/Calloway - 7 ayes (Edwards excused during vote on Consent Agenda).

S-76-83 - MUIRFIELD, LOTS 105 - 109 - APPROVED

This was a request for approval to subdivide 5.4 acres into five (5) single-family lots, zoned Residential-4.

The property is located on the north side of Litchford Road, just west of Falls of the Neuse Road, outside the City Limits.

CR-1999 from the Planning Commission recommended that this request be approved according to a map entitled, "Muirfield, Lots 105 - 109," the property of Bern Bullard, Jr., drawn by Bass, Nixon and Kennedy, dated June 7, 1983. Consent Agenda approval - Walters/Calloway - 8 ayes.

SC-191 - NORTH BOULEVARD SERVICE CENTER, PHASE 2 - APPROVED

This was a request for approval to construct Phase 2 of an existing Shopping Center on a 9.4 acre parcel, zoned Shopping Center. Phase 2 consists of five (5) buildings and totals 76,040 square feet of floor area.

The property is located on the east side of US 1 North, just south of New Hope Road, outside the City limits.

CR-2000 from the Planning Commission recommended that this request be approved according to a map entitled, "North Boulevard Service Center, Phase 2," the property of Lincoln Developers, drawn by Fred Tolson Associates, Inc., dated May 6, 1983. Consent Agenda approval - Walters/Calloway - 8 ayes.

SC-195 - WOOTEN OIL COMPANY - KWIK MART - APPROVED

This was a request for approval to renovate and expand an existing service station into a mini-mart. The proposed development will be a total of 1,980 square feet in two (2) structures. The site is currently developed.

The property is located on the north side of US 70 West, just east of Pleasant Valley Road.

CR-2002 from the Planning Commission recommended that this request be approved according to a map entitled, "Wooten Oil Company - Kwik Mart," the property of Wooten Oil Company, drawn by Wooten Oil Company, dated May 13, 1983. Consent Agenda approval - Walters/Calloway - 8 ayes.

THIS IS THE END OF THE PLANNING COMMISSION CONSENT AGENDA

GH-146 - WALNUT CREEK APARTMENTS - APPROVED WITH CONDITIONS

This was a request for approval to construct 576 apartment units on 82.39 acres, zoned Residential-10 (39.78 acres) and Conservation/Buffer (42.61) acres). The developer is transferring 179 units from the Conservation/Buffer district to developable Residential-10 land. The maximum density transfer allowed is 198 units. The developer is dedicating approximately 1.81 acres of greenway easement to the City of Raleigh.

The property is located on the north side of the Southern Beltline, between Gorman Street and Lake Dam Road, outside the City Limits.

CR-1990 from the Planning Commission recommended that this request be approved according to a map entitled, "Walnut Creek Apartments," the property of Linpro Company, drawn by Landesign, Inc., dated May 1, 1983; and that approximately 1.81 acres be accepted as greenway easement dedicated to the City of Raleigh.

Mr. Keller indicated he had requested that this be removed from the Consent Agenda. He indicated in reading through the minutes and discussion on this item, there was a great deal of discussion on the fact that the only entrance would be from Gorman Street. However, in the plan presented to the Council there are two access roads that go out onto Lake Dam Road. He pointed out Lake Dam is not an improved street and is not even a very good dirt street. He indicated he understands the developer

has agreed to put up a bond or surety to cover their part of improvements to Lake Dam Road but questioned the status for paving of Lake Dam. He indicated, as he understood it, there were no plans at the State for improving this road any time in the near future. He stated he is strongly opposed to any access onto Lake Dam Road until it is improved. Lengthy discussion took place on proposed improvements to Lake Dam, access onto Lake Dam, the fact that Linpro has agreed to put up surety in the amount of $40,000.00. Mr. Keller moved that the plan be presented as approved with no access onto Lake Dam Road until the road is paved. His motion was seconded by Mr. Upchurch. Mr. Jordan indicated he understands the concerns, but he cautioned the Council to be very careful pointing out we have the obligation to protect the people who live in that area. He stated he does not like the idea of doing anything to curtail access pointing out emergency vehicles need to be able to get in. Mr. Jordan made a substitute motion to approve the plan as presented by the Planning Commission. His substitute motion did not receive a second. Mr. Edwards indicated he agreed with the concern voiced by Mr. Jordan about emergency vehicles. He pointed out, however, if there are access roads provided, they will be used by whoever needs to get in and out and he does not believe there would be any incentive in getting Lake Dam Road improved. He questioned the possibility of having some type emergency access. Mr. Keller indicated his concern is that he wants to see the road improved. Mr. Edwards suggested the possibility of some type breakdown barricade to allow emergency type vehicles but not allow other vehicles. Mr. Keller stated he had no objection to the access as long as Lake Dam Road is paved. Mr. Jordan indicated he could support the motion if we allow emergency access. He stated he did not feel we are going to help the people living there by putting all of the access and traffic onto one road. He stated the people don't have any influence as to when the road will be paved. Mr. Upchurch indicated, as he recalls discussing the zoning of this property, there was concern about the road being paved and concern about access on to the road. Mr. Walters indicated he thought that the zoning case was approved, contingent upon no access being on to Lake Dam Road. It was agreed to defer this action and check the approval of the zoning on the property.

Later in the meeting, Planning Director Chapman read from the minutes on rezoning application Z-61-82. After other discussion, Mr. Keller amended his motion to state, APPROVE GH-146 AS RECOMMENDED BY THE PLANNING COMMISSION, EXCEPT THAT THE TWO ACCESSES ON TO LAKE DAM ROAD WILL BE ALLOWED FOR EMERGENCY VEHICLES ONLY UNTIL SUCH TIME AS LAKE DAM ROAD IS PAVED. His restated motion was seconded by Mr. Upchurch. After brief discussion the motion was put to a vote, which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

PA-173 - WAKE FOREST ROAD HOTEL - REFERRED TO THE LAW AND FINANCE COMMITTEE

This was a request for approval to construct a 51-room hotel and 51 parking spaces on .70 acre of land which is currently undeveloped and zoned Office and Institution-II.

The property is located at the southwest corner of Wake Forest Road and New Hope Church Road, inside the City Limits.

CR-1991 from the Planning Commission recommended that this request be approved according to a map entitled, "Wake Forest Road," the property of Dudley Beal, drawn by W. R. Eades, Jr., Architects, dated May 19, 1983, with the condition that a detailed landscaping plan showing type, size and location of plant material be approved by Staff prior to issuing building permits.

Mr. Upchurch indicated he requested that this be withdrawn from the Consent Agenda. He indicated, as he understands it, the recommendation basically meets City Code requirements. He indicated, however, in reviewing the details in the development of this property, he feels that it very possibly could have some adverse affect on surrounding property, therefore, HE WOULD REQUEST THAT PA-173 - WAKE FOREST ROAD HOTEL BE REFERRED TO THE LAW AND FINANCE COMMITTEE FOR STUDY AND REVIEW. His motion was seconded by Ms. Babb and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

S-77-83 - PRESCOTT AND TAYLOR PROPERTY - INVERRARY III - REFERRED TO LAW AND FINANCE COMMITTEE

This was a request for approval to subdivide a 10.3 acre tract into 12 lots, zoned Residential-4 and currently developed as a single-family unit which will be removed.

The property is located on the north end of Aurora Drive and along the east side of Litchford Road, outside the City Limits.

CR-1981 from the Planning Commission recommended that this request be approved according to a map entitled, "Prescott and Taylor Property, Inverrary III," the property of John Prescott, drawn by Bass, Nixon and Kennedy, dated July 13, 1982, revised October 23, 1982, and February 16, 1983, with the condition that a note be placed on the plat of the two panhandle lots to indicate the following: (1) trash pickup points are not more than 125 feet from the street; (2) as conditions exist at the time of recording of this plat, there is limited access for fire protection due to the location of fire hydrants as noted on the plat; and (3) there is an appropriate turnaround connecting the two (2) driveways to serve the panhandle lots.

Planning Commission Chairman Graham presented the recommendation explaining this is the replating of a previously approved subdivision. Mr. Jordan indicated condition No. 2 as recommended by the Planning Commission concerns him pointing out he feels that down the road somewhere a homeowner could come back on the City for approving a subdivision that has limited access for fire protection. Therefore, he would request

THAT S-77-83 - INVERRARY III BE REFERRED TO THE LAW AND FINANCE COMMITTEE FOR STUDY. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

S-75-83 - THE TIMBERS APARTMENTS - APPROVED WITH VARIANCE GRANTED

This was a request for approval to dedicate and construct a residential cul-de-sac, make improvements and dedications along Pleasant Valley Road and Pleasant Grove Church Road, grant a variance to extend stubbed streets, and grant a variance for maximum length of a residential cul-de-sac. This 18 acre site is zoned Residential-10.

The property is located at the southeast corner of Pleasant Grove Church Road and Pleasant Valley Road, inside the City Limits.

CR-1998 from the Planning Commission recommended that this request be approved according to a map entitled, "The Timbers Apartments," the property of the Paragon Group, drawn by Landesign, Inc., dated May 26, 1983; and that a variance be granted, per Section 10-3004 to Section 10-3046(b), to permit Parkwood Drive to remain a 2,000 foot residential dead-end street.

Planning Commission Chairman Graham presented the subdivision and the Planning Commission's recommendation. Planning Director Chapman pointed the area out on a map available at the meeting. Mr. Edwards indicated he had studied this proposal and he understands the water line will be extended, tied in, etc., therefore, HE WOULD MOVE APPROVAL OF THE PLANNING COMMISSION'S RECOMMENDATION AS OUTLINED IN CR-1998. His motion was seconded by Mr. Calloway. Brief discussion took place with Mr. Calloway questioning if there was not a mention of a buffer. Mr. Chapman indicated there is no City imposed buffer but there might be a private agreement. The motion as stated was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

COMMITTEES, COMMISSIONS AND BOARDS

CIVIL SERVICE COMMISSION - ELEANOR NUNN - APPOINTED

The City Clerk reported there is one vacancy on the Civil Service Commission due to the resignation of Allie M. Peebles, Management Representative. Nominations include: Eleanor Nunn and nominations have not been closed. There being no further nominations, Mr. Keller MOVED THAT NOMINATIONS FOR THE MANAGEMENT REPRESENTATIVE ON THE CIVIL SERVICE COMMISSION BE CLOSED AND ELEANOR NUNN APPOINTED BY ACCLAMATION. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

DOWNTOWN HOUSING IMPROVEMENT CORPORATION - NOMINATION MADE

The City Clerk reported the term of Billy Lee Harris expires July 3, 1983, and he is eligible for reappointment. No nominations have been made. Mr. Calloway nominated Reverend George Hawkins. No further action was taken.

HISTORIC PROPERTIES COMMISSION - APPOINTMENTS MADE

The City Clerk indicated there are sixteen terms that expire on June 30, 1983. All persons who are eligible for reappointment have been nominated for reappointment. Nominations include: Warren Lail, Mrs. Thomas W. Bradshaw, Jr., Fred Whitney, Henry L. Lewis, Dr. Charlotte Brown, George Lennon, Mike Latta, Mrs. Francis Winslow, Vivian Irving, Maye E. Ligon, Calvin R. Parks, John Kinney, Barbara Wishy, Pernon E. Howell, Ruth Little, Clarke E. Crampton, Donald W. Barnes and Stanley Caton. The City Clerk indicated she has been notified by representatives of the Historic Properties Commission that Mrs. Thomas W. Bradshaw, Jr. nor Donald W. Barnes wish to be reappointed. She stated there are sixteen vacancies and sixteen nominations. Mr. Walters MOVED THAT NOMINATIONS TO THE HISTORIC PROPERTIES COMMISSION BE CLOSED AND THE SIXTEEN NOMINEES BE APPOINTED BY ACCLAMATION. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously.

The City Clerk indicated she would give the Council information on the Historic Districts Commission at the next meeting and whatever action is taken, that it should be effective July 1 to keep these Committees on a fiscal year basis.

HOUSING APPEALS BOARD - NOMINATION MADE

The City Clerk reported one vacancy, as Renee Grover has been transferred out of town. No nominations have been made. Mr. Walters nominated William D. Harazin, 304 Oakwood Avenue. No further action was taken.

PARKS AND RECREATION ADVISORY BOARD - NOMINATION MADE

The City Clerk reported one vacancy due to the resignation of Leslie Wright. Earl Curry has been nominated by Mr. Calloway. Ms. Babb nominated Dorothy Moses pointing out she is a teacher in the Raleigh School System.

PRIVATE SECTOR HOUSING COMMITTEE - APPOINTMENT MADE

The City Clerk reported one vacancy due to the resignation of J. J. Sampson. He is an At Large Representative. It was agreed at the last meeting if there were nominations at this meeting that nominations would be closed and someone appointed

since the Committee is to make their final report in August. Mr. Calloway nominated Stanley Green. Mr. Edwards MOVED THAT NOMINATIONS BE CLOSED AND MR. GREEN APPOINTED BY ACCLAMATION. His motion was seconded by Mr. Walters and passed unanimously.

TRANSIT AUTHORITY - TERMS SET

The City Clerk reported during the last Council Meeting Shelby Alford, Phil Harvel, Thomas Hilliard and Hiram J. Casebolt were appointed to the Transit Authority. The term of Mr. Alford and Mr. Harvel would be effective July 4, 1983, and would run through July 3, 1985, as they are reappointments. The term of Mr. Hilliard or Mr. Casebolt would be the same as one of them would be replacing Mr. Holloway whose term also expires July 3. The fourth appointment was necessary due to the death of Ralph Campbell, Sr. The Clerk explained the policy of not filling unexpired terms pointing out, however, the ordinance establishing the Transit Authority indicates that all terms would be staggered and half of the terms expire each year. The Clerk indicated the Council needs to make a decision as to whether they want to designate either Mr. Hilliard or Mr. Casebolt's term to be effective June 8, 1983, the day after the appointment and the other would be effective July 4, the day after the expiration of Mr. Holloway's term, or if they want to keep the Transit Authority on the present staggered terms and name one of them to fill the unexpired term of Mr. Campbell. Discussion took place, after which, Mr. Jordan MOVED THAT ALL FOUR TERMS BE MADE EFFECTIVE JULY 4, 1983, TO RUN THROUGH JULY 3, 1985.

REPORT AND RECOMMENDATION OF THE LAW AND FINANCE COMMITTEE

UNFIT BUILDING - 1113 CARLISLE STREET - REMOVED FROM AGENDA

Mr. Jordan reported the Law and Finance Committee recommends that this item be removed from the Agenda with no action taken to declare the dwelling unfit, as it is in compliance with the City Code as it relates to a dwelling unit. On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

SIDEWALK ASSESSMENT POLICY - REAFFIRMED

Mr. Jordan reported the Law and Finance Committee recommends that this item be reported out and the Council reaffirm our present sidewalk assessment policy. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

TRAINS - STOPPING ON TRACKS - NO ACTION TAKEN

Chairman Jordan reported the Law and Finance Committee recommends that this item be reported out with no action taken to change the present time limit trains are allowed to stop on tracks. On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

CITY COUNCIL AGENDA PUBLICATION - REMOVED FROM THE AGENDA

Mr. Jordan reported the Law and Finance Committee recommends that this item be reported out with no action taken noting that the City now publishes a weekly calendar in the newspaper showing all City meetings with a phone number to call for additional information. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

FLEX-TIME - REMOVED WITH NO ACTION TAKEN

Chairman Jordan reported the Law and Finance Committee recommends that this item be reported out with no action taken to change the flex-time policy. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

CABLE ADMINISTRATION - TO BE PLACED ON JULY 5 AGENDA

Chairman Jordan presented Council Members with an ordinance setting up the Raleigh Cable Commission and establishment of the Raleigh Cable Access Corporation. City Attorney McCormick indicated this puts into ordinance form the proposal that the City Council approved some months ago. He indicated the Cable Commission would have nine members and there would be fifteen members on the Access Corporation. He pointed out, as a matter of information, in the articles of incorporation, he had named the City Manager, the City Clerk, and himself as the directors for the purpose of setting up the corporation and as soon as the Council appointed the Board come the directors. Brief discussion took place, after which, IT WAS AGREED TO PLACE THIS ITEM ON THE JULY 5, 1983, AGENDA AS A SPECIAL ITEM FOR CONSIDERATION AND THE CLERK WOULD PUT THE TWO ITEMS ON HER APPOINTMENT MEMO FOR NOMINATIONS.

STREET LIGHTING - MINI-CITY AREA - LETTER TO BE WRITTEN TO CP&L

Chairman Jordan reported the Committee recommends that the Council write a letter requesting CP&L to implement service of 50-foot street lights. He indicated a copy of a draft letter was included in the Council Agenda packet. On behalf of the

Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

HOUSING ASSISTANCE PLAN UPDATE - APPROVED

Chairman Jordan reported the Law and Finance Committee recommends approval of the Housing Assistance Plan Update as presented. On behalf of the Committee, he moved the recommendation be upheld which was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

GROVE TOWERS OFFICE BUILDING - VARIANCE IN DRIVEWAY WIDTH - REMOVED

Chairman Jordan reported the Law and Finance Committee recommends that this item be reported out with no action taken, as it is understood the matter is being handled administratively. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

JOBS BILLS PROGRAM - APPROVED

Chairman Jordan reported the Law and Finance Committee recommends funding the following programs with the Jobs Bill monies, provided that all of the programs are eligible and meet the requirements of the Jobs Bill regulations.

1.	State Street Drainage Problem	$ 80,000
2.	YWCA	15,000
3.	Meals-on-Wheels	3,929
4.	Homemaker-Home Health	10,000
5.	Womens Center	2,500
6.	Public Works Department	104,000
7.	Raleigh Housing Authority	85,000
8.	Community Development	118,239
9.	Market Plaza Project	76,000
10.	Parks & Recreation Department	82,008
11.	Contingency	11,234
12.	Gethesmane Rainbow	15,000
13.	Lydia Baptist Emergency Home	5,000
14.	E. Central Legal Aid	10,000
15.	DHIC	29,090
	Total	$ 647,000

As a matter of information, the Law and Finance Committee recommended to Budget Work Session that all agencies funded by Revenue Sharing be funded for FY 83/84 at the same level as funded in FY 82/83 with the exception of Wake County Council on Aging, which would be funded at $25,000 and Legal Aid which would be funded at $10,000. In addition, Cued Speech of Wake County would be funded at $10,000 from Revenue Sharing and ArtsPlosure would be funded from the General Fund at $13,000. This is for information only and is in the proposed budget ordinance at the direction of Council during Budget Work Session.

On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ZERO BASED BUDGETING/PROGRAM ANALYSIS - ADOPTION OF PRINCIPLES - REFERRED TO WORK SESSION

Chairman Jordan reported by split vote, the Committee endorses and recommends adoption of the principles of zero based budgeting and further recommends that a Work Session be set up to receive information from the City Manager for implementation of the principles of zero based budgeting and its utilization in Raleigh's budget process. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway.

Mr. Keller indicated he was the split vote. He stated he was not opposed to the possibility of going to zero based budgeting, he just felt that we had the cart before the horse. That is, adopting the principles before the Council had a open discussion on the pros, cons, how it would affect the City of Raleigh, etc. He indicated zero based budgeting is a controversial process and some places have adopted it and abandoned it because of the paperwork involved. He stated he would like to see an intensive Work Session and then a decision made. Mr. Keller made a substitute motion to refer the matter to the very next Work Session and direct Administration to present a detail analysis on implementation of zero based budgeting in the City of Raleigh. His substitute motion was seconded by Mr. Upchurch. Mr. Jordan indicated the motion, as stated by him, would give the City Manager full latitude to present a program that he would like to see implemented in the City of Raleigh. He stated he knows that there are some problems and draw backs with zero based budgeting, but he feels that adoption of this motion would lead the City in the direction of zero based budgeting and would give the Manager an opportunity to come back and tell the Council how he would like to implement it. Mr. Edwards indicated he is not necessarily opposed to zero based budgeting, but he does not feel that Mr. Keller's substitute motion would in any way say that we are not going to zero based budgeting. Mayor York indicated he has said several times that we do need some improvement on the budgeting process. He stated he feels that there are merits to

the motion as stated pointing out he understands that it could be done in just one department or one department one year, another department another year, etc. He stated there is not a lot of difference in the two motions. Mr. Walters indicated he feels somewhat the same way. He stated several years ago we did discuss zero based budgeting and there has been resistance to zero based budgeting. He indicated there are some people in Administration, indicating he was not speaking about the Manager, that are opposed to even trying zero based budgeting. He stated he does not feel the Council is going to get an honest try until Administration faces up to the fact that the City Council is committed to trying zero based budgeting. Mr. Upchurch indicated he would have to support Mr. Keller's motion pointing out he was in Work Session previously when this item was discussed. He indicated he realizes that zero based budgeting does create a tremendous amount of paperwork and it would cause Administration to come to the Council with different levels of service. He indicated he believes the best way to implement zero based budgeting is to do it through the entire budget, not piecemeal. He stated it has been discussed in the past pointing out that one time the Council was going to do away with the Park Ranger Program, but that never occurred. Mr. Edwards indicated he basically supports the concept of zero based budgeting. He stated he feels if we go to Work Session and discuss the matter, we could accomplish the same thing.

Mayor York indicated if the motion made by Mr. Jordan is adopted, then he feels that Administration would begin to bring the Council some information such as which department they would like to see zero based budgeting tried in or how to implement zero based budgeting. He indicated if the substitute motion is adopted, he feels that Administration will just bring Council information on zero based budgeting in general. Mr. Jordan indicated his motion gives the City Manager full latitude and gives the City Council full latitude. Other discussion took place with Mr. Edwards pointing out he believes that the negative votes to Mr. Jordan's motion would not be votes in opposition to the concept as he does basically believe in the concept, but he just feels it should go to Work Session and be discussed first. Mr. Upchurch indicated with the information furnished to Council by the City Administration at budget time, he feels that he could take that information and go through the budget and zero base budget the City if he had time. He stated he firmly believes in fiscal responsibility, but he will have to vote against the motion as he would like for the matter to go to Work Session and be discussed first. The substitute motion as made by Mr. Keller was put to a vote with results as follows: Ayes - Keller, Upchurch and Edwards; Noes - York, Walters, Babb, Calloway and Jordan. The Mayor ruled the motion defeated. The original motion as stated by Mr. Jordan was put to a vote with results as follows: Ayes - York, Walters, Babb, Calloway and Jordan; Noes - Edwards and Upchurch. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE

WATER LINE EXTENSION - HIGHWAY 70 WEST - APPROVED CONDITIONALLY

Chairman Edwards reported the Public Works Committee recommends extension of a water line to serve property owned by John Adams located on Highway 70 as requested with the condition that the developer come back to the City and work with Administration to arrive at a mutually agreeable method for waste water disposal. On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Ms. Babb and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

PU 1983-7 - SANITARY SEWER INSTALLATION - RESOLUTION ADOPTED

Chairman Edwards reported the Public Works Committee recommends adoption of a resolution directing the extension of approximately 425 feet of 8-inch sanitary sewer main beginning at the existing manhole at the rear of Lot 49, within the existing easement and proceeding as originally proposed (PU 1983-7) by Administration. On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. 1983-271

A RESOLUTION TO DIRECT THAT THE SANTITARY SEWER OF THE CITY OF RALEIGH BE EXTENDED AND TO ASSESS COST AGAINST LAND ASSESSABLE, THEREFORE:

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to direct that improvements be made and the cost thereof assessed against abutting property assessable therefor; and

WHEREAS, a preliminary resolution has been adopted by the City Council and a public hearing thereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statutes of North Carolina:

PU 1983-7-Installation of approximately 425 feet of 8 inch sanitary sewer main beginning at the existing manhole at the rear of Lot 49, sheet 325, northward within exisitng easement.

Section 2. That 100 percent of the total cost of said improvement which can be assessed according to provisions of Part 8, Chapter 2, Article B, Section 8-2033 et seq. of the City Code be assessed against the property receiving the improvement. Assessment will be made according to the following method: Front footage of property abutting the extension.

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost therof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connecions are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

Adopted: June 21, 1983

PUBLIC NUISANCE - 409 RUCKER STREET - REMOVED FROM THE AGENDA

Chairman Edwards reported the Public Works Committee recommends that the City reject the bids for this work and take no further action at this time since the owner is taking steps to abate the problem. On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

EROSION AND DRIVEWAY PROBLEMS - REMOVED FROM THE AGENDA

Chairman Edwards reported the Public Works Committee recommends that this item be reported out with no action taken. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

UNFIT DWELLING - 3114 WILDER STREET - REMOVED FROM THE AGENDA

Chairman Edwards reported the Public Works Committee recommends that this item be removed from the Agenda, as it was reported the dwelling is vacant and closed. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

GENERAL DEVELOPMENT STUDY - OVERVIEW PRESENTED - ITEM RETAINED IN COMMITTEE

George Hubler, representing PAS, was at the meeting and briefly described the report of their study and analysis of municipal government functions involved with property development. Mr. Hubler explained the make up of the report, explaining the report was divided into ten chapters and explained the information outlined in the ten chapters. He referred the Council to page 109 of the study which is an overview of the recommendations. He explained the major recommendations in detail. The information was received with it being agreed that the matter would remain in Public Works Committee for further study and recommendations.

THEATRE IN THE PARK - APPROPRIATION CHANGE - CONTRACT AUTHORIZED

Chairman Edwards reported the Public Works Committee recommends that the City enter into a contract with Theatre In The Park to provide for a working arrangement between the City and this organization which would also place responsibility for general maintenance and utilities with Theatre In The Park. The Committee further recommends that the appropriation for Theatre In The Park FY83-84 be placed at $59,180 with the provision that Theatre In The Parks agrees to provide $18,000 for capital improvements and equipment for the Armory Building in which they are located.

Mr. Edwards explained this recommendation in detail including the line items in the Parks and Recreation Department budget that would be affected. On behalf of the Committee, he moved the recommendation as outlined be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

THE CITY COUNCIL TOOK A RECESS BETWEEN 2:50 AND 3:05 P.M.

REPORT AND RECOMMENDATION OF THE COMPREHENSIVE PLANNING COMMITTEE

APPEARANCE COMMISSION - PROPOSED PROGRAMS FY 83-84 - APPROVED - FUNDS APPROPRIATED

Chairman Calloway reported the Comprehensive Planning Committee recommends approval of the Appearance Commission's proposed programs for FY 83/84 as presented with authorization for the Appearance Commission to proceed to develop these programs. This is with the understanding that when the Appearance Commission is ready to come back to Council with more detailed information that the matter will be referred to Work Session as requested. This recommendation includes an appropriation of $4,100 which is recommended for approval. Council Members will receive in their Agenda packets additional information on the programs and actions of the Appearance Commission. The information is dated June 21, 1983. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. By general consensus, it was agreed that the proposed budget for FY 83/84 would be amended to include this appropriation of $4,100.

CP-1-83 - AMENDMENT TO MAJOR STREET PLAN - RESOLUTION ADOPTED

Chairman Calloway reported the Comprehensive Planning Committee recommends approval of the amendment to the Major Street Plan, according to a map entitled, "CP-1-83," dated April 25, 1983. This action would require the adoption of a resolution to amend a Comprehensive Plan which includes a map entitled, "Amendment No. CP-1-83." This proposed resolution and map are included in the Council Agenda packets. On behalf of the Committee, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) 272

RESOLUTION TO AMEND THE COMPREHENSIVE PLAN

WHEREAS, the purpose of the Comprehensive Plan is to provide general guidance to City agencies, other public agencies, private individuals and organizations as they prepare detailed plans, programs or ordinances; and

WHEREAS, it is the intent of the City Council to maintain and amend this plan as the official statement of City Council Policy concerning the future development of the City of Raleigh; and

WHEREAS, after careful review of the traffic and development patterns in the Quail Hollow, Hickory Hills, and East Gate areas, it has been determined that revisions to the pattern of collector streets to serve these areas are needed; and

WHEREAS, a public hearing on proposed Amendment No. CP-1-83 was held before a joint meeting of the City Council and the Planning Commission on January 18, 1983 and the matter was referred to the Planning Commission for review and recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the attached amendment CP-1-83 be approved as an amendment to the major street plan, Map T-1, Page 50 of the Comprehensive Plan adopted by Resolution No. (1979)-949, on June 19, 1979. Said amendment providing for:

a. The establishment of New Hope Church Road extension as a collector street from Quail Hollow Drive extension westward to St. Albans Drive;

b. The reclassification of the following street sections as collector streets

1. St. Albans Drive in its entirety;

2. Camelot Drive from Dartmouth Road to St. Albans Drive;

3. Dartmouth Road from Camelot Drive to Six Forks Road

4. Hardimont Drive, and its future extension, from Quail Hollow Drive to St. Albans drive; and

c. The removal of the collector street classification from Quail Hollow Drive, and its extension, between Hardimont Drive and New Hope Church Road extension.

Adopted: 6/21/83

REPORT AND RECOMMENDATION OF THE BUDGET WORK SESSION

BUDGET - 1983/84 - ORDINANCE ADOPTED; RESOLUTION SETTING OUT UTILITY RATES - ADOPTED

Council Members received in their Agenda packet a proposed ordinance adopting the 1983/84 operating budget including the use of Revenue Sharing Funds, as well as a resolution setting out the utility rates. This ordinance and resolution adopts the budget as amended by the Council during the Budget Work Session including appropriations for agency programs as suggested. Mr. Edwards MOVED THAT THE BUDGET ORDINANCE FOR 83/84 BE APPROVED WITH THE UNDERSTANDING IT WOULD INCLUDE THE $4,100 APPROPRIATION FOR THE APPEARANCE COMMISSION. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 137. Mr. Edwards MOVED ADOPTION OF THE RESOLUTION SETTING OUT THE UTILITY RATES. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) - 273

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH

Section 1. That the following is the official schedule of rates, charges, and rents for water and sewer utility service, revised July 1, 1983. (Reference Section 2-3001, Raleigh City Code.)

I. RETAIL SERVICE

A. Water

1. Monthly Service Charges

Meter Size (inches)	Monthly Charges Inside City Limits	Monthly Charges Outside City Limits
5/8	$ 1.34	$ 2.68
3/4	1.64	3.28
1	2.24	4.48
1 1/2	3.73	7.46
2	5.52	11.04
3	10.29	20.58
4	15.65	31.30
6	30.55	61.10
8	48.44	96.88
10	69.30	138.60

2. Consumption Charges

Consumption (CCF/Month)	Unit Rate Per CCF Inside City Limits	Outside City Limits
0-500	$0.9921	$1.9842
Over 500	0.6641	1.3282

B. Sewer

1. Billing Charge $0.80/Bill

2. Consumption Charges

Water Consumption (CCF/Month)	Unit Rate Per CCF of Water Inside City Limits	Outside City Limits
All Usage	$0.7056	$0.8780

3. Rates (including billing charges) for residential units without metered water (per dwelling unit)

Inside City Limits	5.74/Mo for services inclusive of Admin. costs
Outside City Limits	6.95/Mo for services inclusive of Admin. costs

II. CONTRACT SERVICE

A. Water

1. Operations and Maintenance Charges

a. Applicable to all water used	$0.4064/CCF
b. Surcharge applicable to water used from high level pumping system	$0.0424/CCF

2. Capital Charges - General Facilities

a. Applicable to all water used	$0.1300/CCF
b. Surcharge applicable to water used from high level pumping system	$0.0319/CCF

3. Capital Charges - production facilities applicable to capacity reserved by contractual agreement, as of July 1, 1980	$2,986/MGD/Month
4. Interest charge during construction for capacity reserved within facilities expansion to be completed in 1984.	$3,606/MGD/Month

B. Sewer

1. O&M Charges

a. Treatment

(1) Applicable to all flow, with no allowance for BOD5 or SS	$.0878/CCF of Sewage
(2) Applicable to all BOD5	$0.3225/LB of BOD5

(3) Applicable to all SS	$0.0466/LB of SS
b. Transportation	
(1) Applicable to all flow	$0.0235 of Sewage
2. Capital Charges	
a. Treatment	
(1) Applicable to capacity reserved by contractual agreement within plant facility capacity as of 1980	
Peak Reserve Flow	$273.33/MGD/Month
Average Reserve Flow	$827.40/MGD/Month
b. Transportation	
(1) Applicable to capacity reserved by contractual agreement within Neuse River Outfall Facility Capacity as of 1980.	$21.87/MGD-Mile/Month
(2) Applicable to capacity reserved by contractual agreement within Walnut Creek Outfall, from Sunnybrook Road to Neuse River Outfall, Facility Capacity as of 1980.	$25.09/MGD-Mile/Month
(3) Applicable to capacity reserved by contractual agreement within Walnut Creek Outfall, from Buck Jones to Sunnybrook Road, Facility capacity as of 1980.	$29.47/MGD-Mile/Month
(4) Applicable to capacity reserved by contractual agreement within Crabtree Creek Outfall, from Oak Park to old Crabtree Creek Pump Station, Facility Capacity as of 1980.	$16.00/MGD-Mile/Month
(5) Applicable to capacity reserved by contractual agreement within Crabtree Creek Outfall, from old Crabtree Creek Pump Station, to Neuse River Outfall, Facility Capacity as of 1980.	$29.31/MGD-Mile/Month

III. RETAIL SERVICE DEPOSITS (FOR CUSTOMERS WITH METERED WATER)

METER SIZE	INSIDE CITY LIMITS			OUTSIDE CITY LIMITS		
(INCHES)	WATER ONLY	WATER & SEWER	SEWER ONLY	WATER ONLY	WATER & SEWER	SEWER ONLY
5/8	$ 8.28	$ 14.02	$ 5.74	$ 16.57	$ 23.52	$ 6.95
3/4	17.51	29.60	12.09	35.03	49.88	14.85
1	46.88	79.43	32.55	93.77	134.08	40.31
1 1/2	83.10	140.35	57.25	166.20	237.24	71.04
2	184.10	311.91	127.81	368.20	527.04	158.84
3	771.98	1,407.82	635.84	1,543.96	2,334.96	791.00
4	1,175.80	2,235.00	1,059.20	2,351.60	3,669.40	1,317.80
6	1,522.75	2,934.75	1,412.00	3,045.50	4,802.30	1,756.80
8	2,204.74	4,322.34	2,117.60	4,409.48	7,044.28	2,634.80
10	2,889.70	5,712.90	2,823.20	5,779.40	9,292.20	3,512.80

Adopted: 6/21/83

Effective: July 1, 1983

1983-84 BUDGET ORDINANCE (1983) - 137

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the following amounts are hereby appropriated for the operation of the City Government and its activities for the fiscal year beginning July 1, 1983, and ending on June 30, 1984, according to the following schedules:

GENERAL FUND

Revenues:	
Property Taxes	$27,733,750
Intergovernmental Revenues	7,494,500
From Utility Fund for Services	1,561,266
Rents, Fees, and Misc. Revenues	7,118,270

From Revenue Sharing Fund	$ 233,354	
From Sales Tax Revenues	5,992,000	
From Powell Bill Revenues	800,000	
From Fund Balance	6,498,770	
General Fund Revenue Total		$57,431,910
Expenditures:		
General Government	$17,622,769	
Civic Center	1,225,848	
Transportation	3,136,980	
Human Resources	404,755	
Finance	2,143,666	
Police	10,228,068	
Fire	7,133,372	
Public Works	10,060,506	
Parks and Recreation	5,475,946	
General Fund Expenditure Total		$57,431,910

GENERAL DEBT SERVICE FUND

Revenues:		
Special Assessments	$ 31,000	
From General Fund	3,230,900	
From Park Improvement Fund	926,250	
Miscellaneous Revenues	1,154,720	
General Debt Service Fund Revenue Total		$ 5,342,870
General Debt Service Fund Expenditures		$ 5,342,870

PUBLIC UTILITY FUND

Revenues:		
User Charges	$19,421,270	
Other Miscellaneous Revenues	1,083,630	
From Fund Balance	1,463,370	
Public Utility Fund Revenue Total		$21,968,270
Expenditures:		
Administration	$ 303,805	
Water Plants and Operations	5,042,566	
Sewer Plants and Operations	5,538,912	
Meters, Warehouse and Special Appropriations	11,082,987	
Public Utility Fund Expenditure Total		$21,968,270

UTILITY DEBT SERVICE FUND

Revenues:		
From Utility Operating Fund	$ 6,435,400	
From Special Assessments	206,000	
Other Miscellaneous Revenues	250,000	
From Fund Balance	3,443,849	
Utility Debt Service Fund Revenue Total		$10,335,249
Utility Debt Service Fund Expenditures		$10,335,249

AMUSEMENT FUND

Revenues:		
Amusement Fees	$ 399,000	
From Fund 19 and Fund 37	140,873	
From Fund Balance	370,000	
Amusement Fund Revenue Total		$ 909,873
Amusement Fund Expenditures		909,873

REVOLVING FUND

Revenues:		
From Activity Fees and Contributions	$ 423,840	
From Fund Balance	142,620	
Revolving Fund Revenue Total		$ 566,460
Revolving Fund Expenditures		$ 566,460

TRANSIT FUND

Revenues:		
From UMTA	$ 996,337	
From State of North Carolina	30,000	
From General Fund	931,025	

Fare Box Fees	1,161,565	
Charter Fees	88,279	
Miscellaneous Other	75,000	
Transit Fund Revenue Total		$ 3,282,206
Transit Fund Expenditures		$ 3,282,206

COMMUNITY DEVELOPMENT FUND

Revenues:		
From U. S. Department of HUD	$ 1,830,000	
Program Income	300,000	
Community Development Fund Revenue Total		$ 2,130,000
Community Development Fund Expenditure Total		$ 2,130,000

PARKING FACILITIES FUND

Revenues:		
Parking Fees	$ 125,000	
From Fund Balance	100,000	
Parking Facilities Fund Revenue Total		$ 225,000
Expenditures:		
To General Fund	$ 212,600	
Other	12,400	
Parking Facilities Fund Expenditures Total		$ 225,000

CAPITAL PROJECTS FUNDS

POWELL BILL		
Revenues:		
N. C. Gasoline Tax	$ 2,400,000	
Miscellaneous Other	200,000	
From Fund Balance	1,030,000	
Powell Bill Fund Revenue Total		$ 3,630,000
Expenditures:		
To Street Improvement Fund	$ 2,280,000	
To General Fund	800,000	
Right-of-Way	75,000	
Reimbursement Contracts	65,000	
Other	93,417	
Council Reserve	316,583	
Powell Bill Fund Expenditure Total		$ 3,630,000

URBAN RENEWAL FUND

Revenues:		
Interest on Investments	$ 70,000	
From Fund Balance	588,800	
Urban Renewal Fund Revenue Total		$ 658,800
Expenditures:		
Council Reserve	$ 283,800	
To General Fund	250,000	
New Bern Place	125,000	
Urban Renewal Fund Expenditure Total		$ 658,800

SIDEWALK PAVING FUND

Revenues:		
Miscellaneous Other	$ 25,000	
From Fund Balance	82,600	
Sidewalk Paving Fund Revenue Total		$ 107,600
Expenditures:		
Council Reserve	$ 107,600	
Sidewalk Paving Fund Expenditure Total		$ 107,600

STREET IMPROVEMENT FUND

Revenues:		
Assessments	$ 235,000	
From Powell Bill Fund	2,280,000	
Miscellaneous Other	300,000	
From Fund Balance	603,300	
Street Improvement Fund Revenue Total		$ 3,418,300

Expenditures:		
Council Reserve	$ 340,300	
Gorman Street	1,430,000	
Other Capital Projects	1,648,000	
Street Improvement Fund Expenditure Total		$ 3,418,300

STREET BOND FUND

Revenues:		
From Fund Balance	$ 603,800	
Miscellaneous Other	100,000	
Street Bond Fund Revenue Total		$ 703,800
Expenditures:		
Council Reserve	$ 3,800	
Winton Road	700,000	
Street Bond Fund Expenditure Total		$ 703,800

PARK IMPROVEMENT FUND

Revenues:		
Property Taxes	$ 1,867,500	
Miscellaneous Other	140,000	
From Fund Balance	624,400	
Park Improvement Fund Revenue Total		$ 2,631,900
Expenditures:		
Council Reserve	$ 1,133,777	
To Amusement Fund	113,873	
To General Debt Service Fund	926,250	
Camp Durant	100,000	
Method Park	90,000	
Greenway	50,000	
Carolina Pines Park	65,000	
Other Park Improvements	153,000	
Park Improvement Fund Expenditure Total		$ 2,631,900

RECREATION BOND FUND

Revenues:		
From Fund Balance	$ 3,277,633	
Recreation Bond Fund Revenue Total		$ 3,277,633
Expenditures:		
Council Reserve	$ 687,633	
Athens Pool	640,000	
East Raleigh Pool	640,000	
Green Road Center	335,000	
Biltmore Lighting	160,000	
Glen Eden Park	450,000	
Southgate Park	46,000	
Oakwood Park	125,000	
Sanderford Road Park	150,000	
Raleigh Little Theatre	44,000	
Recreation Bond Fund Expenditure Total		$ 3,277,633

MISCELLANEOUS CAPITAL FUND

Revenues:		
Miscellaneous Other	$ 30,000	
From Fund Balance	390,400	
Miscellaneous Capital Fund Revenue Total		$ 420,400
Expenditures:		
Council Reserve	$ 420,400	
Miscellaneous Capital Fund Expenditure Total		$ 420,400

CIVIC CENTER FUND

Revenues:		
Interest on Investments	$ 100,000	
From Fund Balance	525,300	
Civic Center Fund Revenue Total		$ 625,300
Expenditures:		
Council Reserve	$ 525,300	
To General Fund	100,000	
Civic Center Fund Expenditure Total		$ 625,300

PUBLIC SAFETY FUND

Revenues:		
Miscellaneous Other	$ 13,000	
From Fund Balance	164,600	
Public Safety Fund Revenue Total		$ 177,600

Expenditures:		
To General Fund	$ 177,600	
Public Safety Fund Expenditure Total		$ 177,600

REVENUE SHARING TRUST FUND

Revenues:		
U. S. General Revenue Sharing	$ 1,482,000	
Miscellaneous Other	400,000	
From Fund Balance	1,640,369	
Revenue Sharing Trust Fund Revenue Total		$ 3,522,369
Expenditures:		
Council Reserve	$ 119,015	
To General Fund	233,354	
Municipal Building	180,000	
Parking	2,880,000	
Transit Terminal	110,000	
Revenue Sharing Trust Fund Expenditure Total		$ 3,522,369

Section 2. That there is hereby levied the following rates of tax on each one hundred dollars ($100.00) valuation of taxable property as listed for taxes as of January 1, 1983, for the purpose of raising the revenue from current year's property tax to finance the foregoing appropriations:

GENERAL FUND	$.89
RECREATON TAX FUND	.06
TOTAL RATE per $100 of valuation of taxable property	.95

Such rates of tax are based on an estimated total assessed valuation of property for purposes of taxation of $3,250,000,000 and an estimated rate of collections of ninety-five percent (95%).

Section 3. That appropriations herein above authorized and made shall have the amounts of outstanding purchase orders at June 30, 1983 (rounded to nearest $5.00) added to each appropriation as it appears in order to properly account for the payment against the fiscal year in which it is paid.

Section 4. That appropriations herein above authorized and made shall have the amounts of unearned portions of contracts at June 30, 1983 (rounded to nearest $5.00) added to each appropriation as it appears in order to properly account for the payment against the fiscal year in which it is paid.

Section 5. That there is hereby authorized an increase in water and sewer rates as set forth in Resolution No. 278 establishing a schedule of rates, charges, and rents for water and sewer services.

Section 6. That copies of this ordinance shall be furnished to the City Clerk and Treasurer and to the City Finance Director to be kept on file by them for their direction in the disbursement of City funds.

Section 7. This ordinance shall become effective on July 1, 1983

Adopted: 6/21/83

PERSONNEL - SALARY ADJUSTMENT FOR COUNCIL APPOINTED PERSONS - APPROVED; ADMINISTRATION TO STUDY CLASSIFICATION IN THE CLERK'S OFFICE

The City Council recommends that City Manager Zachary be granted a 5% merit increase, effective July 1, 1983, and also be granted the 3% across-the-board raise included in the budget.

The City Council recommends that the City Attorney be granted a 5% merit increase effective July 1, 1983, and also receive the 3% across-the-board increase granted in the budget.

The City Council indicated the City Clerk is at the top of her pay grade; therefore, no merit increase can be granted. However; the Clerk would be eligible for the 2 1/2% step on January 11, 1984, and it would be considered at that time. The Council recommends that the City Clerk be granted the 3% across-the-board raise included in the budget. The City Council also requested that Administration look at the classification of the persons in the City Clerk's Office, including the Deputy Clerk, Sessions Reporter and Office Assistant III.

Brief discussion took place with Mayor York indicating he believed the motion on the City Manager's salary was a 8% increase effective July 1. He stated, however, he had no objection as to how it is outlined in the Agenda. Mr. Walters moved approval of the salary adjustments and the direction to study the classification in the City Clerk's Office as outlined. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE WORK SESSION

SOUTHEAST DISTRICT PLAN UPDATE - PUBLIC HEARING AUTHORIZED

It is recommended that a public hearing be scheduled for Tuesday, September 6, 1983, before the City Council and the Planning Commission to consider the Southeast District Plan Update. Mr. Calloway moved the recommendation as outlined be upheld. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ANIMAL CONTROL ORDINANCE - ADMINISTRATION TO BRING PROGRAM FOR CITY-WIDE INOCULATION; ITEM RETAINED IN COMMITTEE

It is recommended that Administration bring a program to the City Council for a City-wide inoculation program of animals within the City and that this program will include some type of educational program, leaflet, etc., about the law and the importance of adhering to the law. It is further recommended that the matter relating to the animal control ordinance remain in Committee for further study.

City Manager Zachary indicated Administration has been in touch with the Wake County Health Department and they are enthusiastic about working with the City in setting up a clinic. He indicated the City has been sending out some information about the law and the importance in adhering to the animal control ordinance. Mr. Jordan moved the recommendation as outlined be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

HUMAN RESOURCES AND RELATIONS ADVISORY COMMITTEE - RENAMED

The report of the incoming chairman was received. The Council recommends that the name of the Committee be changed to the Human Resources and Human Relations Advisory Committee. Mr. Calloway moved the recommendation as outlined be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

COMMUNITY DEVELOPMENT - VARIOUS ACTIONS - APPROVED

Mr. Walters presented the following report from the Real Estate Committee.

I. To approve "Offer to Purchase" the following parcels at the established fair market disposition value or above.

A.	1010 Mark Street B0114-0012, 0013, and 0018	$ 4,900.00
B.	109 Lee Street B0114-0014 and 0015	$ 4,900.00

II. To approve the "fair market acquisition values" based on two acquisition appraisal reports and a review appraisal report.

	Parcel	Values
A.	550 E. Martin Street B0003-0030	$ 25,300.00
B.	323 E. Worth Street B0123-0019	$ 3,500.00
C.	422 S. Bloodworth Street A0022-0024	$ 15,200.00
D.	212 S. East Street A0044-0013	$ 17,400.00
E.	208 S. East Street A0044-0012	$ 22,000.00
F.	218 S. East Street A0044-0014	$ 11,100.00
G.	116 S. Haywood Street B0006-0023	$ 10,200.00

III. To approve the parcel to be acquired by condemnation through eminent domain to clear title and establish value as advised by CDBG's attorney. The value was established by City Council on February 1, 1983.

Parcel	Value
559 E. Martin Street B0002-0029	$ 10,000.00

IV. To approve the "fair market disposition values" or reuse values based on one reuse appraisal report.

	Parcel	Value
A.	523 E. Bragg Street B0139-0015C B0139-0016A	$ 6,350.00
B.	412 Dakar Street 414 Dakar Street B0058-0016 B0058-0017	$ 3,000.00
C.	424 Alston Street B0060-0022	$ 3,000.00
D.	517 Alston Street B0064-0002	$ 3,000.00
E.	528 E. Lenoir Street 530 E. Lenoir Street B0055-0001 B0055-0002	$ 3,800.00

V. To approve the "fair market disposition value or reuse value" based on approved acquisition value.

Parcel	Value
323 E. Worth Street B0123-0019	$ 3,500.00

On behalf of the Real Estate Committee, Mr. Walters moved the recommendation as read be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE MUNICIPAL BUILDING COMMITTEE

MUNICIPAL BUILDING - CHANGE ORDER P-1 - APPROVED - FUNDS APPROPRIATED

Chairman Edwards reported the Municipal Building Committee recommends approval of Change Order P-1, Triangle Mechanical Associates, calling for an addition of $6,079.00. He outlined the source of funds for the change order. On behalf of the Committee, Mr. Edwards moved that the change order as outlined be approved. His motion was seconded by Ms. Babb. Mr. Edwards presented Council Members with a tabulation of change orders to date which shows that the current added cost including deletions and additions is $34,828.78. The motion as stated was put to a roll call vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 268 TF 48.

PARKING DECK - INFORMATION RECEIVED

Mr. Edwards indicated the Municipal Building Committee discussed the status of the parking deck. He stated plans would be submitted on June 27, although they will not be totally complete at that time. He stated at present the advertising date is scheduled for July 23, 1983, with the construction to begin September, 1983, and the anticipated completion date would be August, 1984. The item was received as information.

REPORT AND RECOMMENDATION OF THE SPECIAL COMMITTEE ON POLICE AFFAIRS

SPECIAL COMMITTEE ON POLICE AFFAIRS - INFORMATION RECEIVED

Mayor York indicated the Committee did meet on June 20 and they are planning to have another meeting. He stated the Committee did approve a concept and Administration would be working on that concept and the Committee would report back to the Council at a later date. The item was received as information.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

INTEREST COSTS - PARK, WATER AND SEWER BONDS - TRANSFER AUTHORIZED

This is a Transfer of Funds request to provide interest costs on Park and Water and Sewer bonds from the November 9, 1982, bond sale. Following the sale, plans for the provision of funds were made but a budget adjustment was not sent through. Consequently, we are presently in a deficit budget position in both our General Debt Service Fund and Utility Debt Service Fund. Funds are available but not in the proper line account. The Agenda also listed the recommended transfer in full. Mr. Jordan moved the transfer as outlined be authorized. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 268 TF 48.

ASSESSMENT RATES - WATER AND SANITARY SEWER - APPROVED

Each year, an analysis is made of the cost of constructing water and sewer lines. This analysis is made in accordance with the assessment laws and is the basis for the Council to consider modifications to the assessment rates.

Listed below are the calculated utility rates for the fiscal year beginning July 1, 1983, and ending June 30, 1984.

	Proposed 83-84	Current 82-83	%
8" Sanitary Sewer	$12.53	$10.97	+14.22%*
6" D.I. Water	$ 8.99	$ 9.22	- 2.5%
2" Water Replaced with 6"	$ 4.90	$ 4.86	+ .8%

*The major cause of this increase is due to the Brookhaven Section I project which cost considerably more than normal.

Brief discussion took place with Mayor York indicating his initial thought was that the Council should approve the assessment rates as outlined. He stated, however, maybe they should go to a Committee since one project did make the proposed assessment rate for the 8-inch sanitary sewer to be higher than usual. Mr. Edwards indicated that was his initial thought also. He stated, however, he understands that we go back five years and take the average of the last five years to set the rate for the coming year. He stated as an engineer he is seeing cost going up, therefore, he feels that maybe these costs will be in line for the coming year and he would move approval of the water and sanitary sewer line assessment rates as recommended by Administration. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) 278

A RESOLUTION TO ESTABLISH THE UTILITY RATES FOR FISCAL YEAR 1983/1984

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the calculated utility rates for fiscal year beginning July 1, 1983, and ending June 10, 1984, are as follows:

8" Sanitary Sewer	$12.53
6" D.I. Water	8.99
2" Water Replaced with 6"	4.90

Section 2. That this resolution shall become effective July 1, 1983.

Adopted: 6/21/83

Effective: 7/1/83

BID 82-63 - SEWER FLOW LEVEL SYSTEM - BID AWARDED TO ISCO

Pursuant to advertisement as required by law, bids were received and publicly opened in the Office of the Purchasing Agent on June 9, 1983, for a sewer flow level system. It was pointed out only one bid was received, ISCO, c/o Johnston, Incorporated, in the amount of $28,558.00. The Agenda indicated that because of the proprietary nature of this equipment, acceptance of the bid is recommended. Mr. Walters moved Administration's recommendation be upheld. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

PROFESSIONAL SERVICES - BRIDGE DESIGN - CONTRACT AWARDED TO KIMLEY-HORN

When Administration proposes to employ professional services, our procedure is that we notify the Council and request the item be referred to a committee so that the proposals can be reviewed. The Council indicated on Tuesday, June 14, 1983, during the Budget Work Session that they would approve next week an appropriation of $104,000 from "Jobs Bill Funds" for use in bridge repairs. We must obligate these funds by September 1. After the first public hearing on the "Jobs Bill FUnds," Administration sought proposals from engineers for this work. We received proposals from Talbert, Cox Associates, Ezra Meir Associates, Ralph Whitehead and Associates and Kimley-Horn. Kimley-Horn proposed an estimated fee of $29,327 plus construction inspection at $27 per hour. This was the lowest estimated fee and the engineer also proposed to meet our tight schedule which was caused by the need to obligate funds by September 1, for the Community Development Jobs Bill funding.

Recommendation:

It is recommended that the Council authorize a contract with Kimley-Horn for Engineering Services for the following "Jobs Bill" projects.

(1) Fayetteville Street over Walnut Creek-Capital Improvement Program ST-7,

(2) Fayetteville Street over Rocky Branch-Capital Improvement Program ST-7.

And the following project which is not a "Jobs Bill" project:

(1) Yadkin Drive over Crabtree Creek-Capital Improvement Program ST-6. (This is repairs only)

If this is approved, an appropriate Capital Project Budgetary Action in the amount of $36,000 will also need approval.

Mr. Edwards moved the recommendation as outlined by Administration be upheld. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 268 TF 48.

ADDENDUM

RALEIGH TOMORROW TASK FORCE - INFORMATION RECEIVED - FUNDS APPROPRIATED

Ms. Babb indicated the Raleigh Tomorrow Task Force has been meeting regularly and everyone is excited about the form which is scheduled for July 28. She stated this will be an all day meeting. She indicated the Committee has been able to secure John Naisbitt and Dr. Michael Evans for this conference. She stated everyone is very excited about this because both of these are very prominent speakers on the circuit today. She also explained Hammer, Siler, George and MTS will be present and give an overview of their work. She indicated the chairman of the four subcommittees will also be present and report on the work of the subcommittees. She stated there is a lot of information to be presented and she feels it will be a very busy day. She stated in the afternoon there will be some group sessions, work sessions, smaller groups, etc. She explained the Agenda for the day which begins with registration between 8:00 and 9:00 and ends with a reception between 5:30 and 6:30. She stated they anticipate having over 250 people present at the forum. She stated the registration fee will be $25 which includes lunch, conference handouts, etc. She stated they also plan to have a $20 fee for persons who want to come in for lunch only and hear Dr. Naisbitt's speech. She indicated in her initial contacts, she understands that many business and academic people may be interested in hearing Dr. Evans' speech in the morning also. Ms. Babb indicated that the Mayor has agreed to try to raise some $5,000.00 to help underwrite the conference and through his efforts and the registration fee, they hope to raise enough money so that the City subsidy of this conference would be only $6,000.00. She stated, however, the speakers require part of their payment to be made right of way. She stated in discussing how to handle this with the Finance Department, she feels that the best action would be for the City Council to authorize Administration to set up an account and authorize the Finance Director to spend up to $20,000.00 with the understanding the registration fees, donations, etc. will be coming in to offset this $20,000.00 appropriation. She stated we must go ahead and pay part of the speakers fees and have money for postage, printing, etc. Therefore, she is asking the City Council to authorize the Finance Director to set up an account for Raleigh Tomorrow City Forum and that account be authorized to expend no more than $20,000.00 and that the City will be subsidizing the conference at the level of around $6,000.00. Her motion was seconded by Mr. Keller. Mayor York commended the Committee for their outstanding work pointing out they have secured two top notch speakers. He indicated he feels that the people in the community are excited about this forum. The motion as stated was put to a roll call vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 134 TF 121.

RALEIGH TOMORROW TASK FORCE - JIM MASSENGIL ADDED

Ms. Babb indicated throughout the work of the Task Force, the Council has added several people as members of the Task Force. She stated in the last couple of weeks another person has been very involved in the work of the Committee and even though it is a late date, she would like to officially add that person to the Committee and moved that Jim Massengil of CP&L be added as a member of the Raleigh Tomorrow Task Force. Her motion was seconded by Mr. Keller and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

SPECIAL POPULATIONS PROGRAM - RELEASE OF LIABILITY FOR THE LAKES APARTMENTS - APPROVED

It was pointed out our Special Populations Program will again use the pool at the Lakes Apartments for the summer of 1983. The pool will be in use each Tuesday and Wednesday for six weeks, from July 12 through August 17. A schedule has been confirmed with Beth Ames and Terry Price, Lakes Clubhouse Managers. Council Members received a copy of the agreement for the use of swimming facilities provided by the owner of the Lakes Apartments with liability coverage. Administration recommends approval of the proposed agreement as presented. Mr. Calloway moved the recommendation be upheld. His motion was seconded by Mr. Jordan and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

GREEN ROAD PARK COMMUNITY CENTER - FEE FOR PROFESSIONAL SERVICES - AUTHORIZED.

The Agenda indicated it is recommended that the fee for the design for the Green Road Park Community Center be a flat fee of $62,400.00. This is based on a percentage fee of approximately 7.95%. Administration recommends approval of the fee and the professional services contract and a transfer in the amount of $25,500.00 to cover this additional expense. Mr. Walters moved the recommendation be upheld. His motion was seconded by Mr. Edwards and passed unanimously. A roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 268 TF 48.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

PAS STUDY - INFORMATION RECEIVED

City Attorney McCormick indicated during the report by PAS, Mr. Hubler referred to legal descriptions being prepared by the Attorney's Office and checked by the Engineering Department. He stated this is incorrect and that the suggestion made by Mr. Hubler is the way it is currently handled in the City. Mr. Edwards indicated he had briefly discussed this with the attorney and he believed that the City of Raleigh is one of the only places that the legal descriptions are written by the Engineering Department and checked by the City Attorney's Office, rather than the other way around indicating he feels that is the best way to handle it. This was discussed briefly, however, no action was taken.

CABLEVISION - TRANSFER AUTHORIZED

City Attorney McCormick recommended a transfer in the amount of $29,602.02 to cover the final bills presented by the cable consultants. Mr. McCormick indicated this amount will be reimbursed to the City by ATC. He stated, however, we need to go ahead and make the transfer so that the final bills can be paid. Mr. Jordan moved that the transfer as recommended by the City Attorney be authorized. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 268 TF 48.

REPORT OF MAYOR AND COUNCIL MEMBERS

DOWNTOWN DEVELOPMENT CORPORATION - STATUS REPORT - REFERRED TO THE DOWNTOWN COMMITTEE

Mayor York indicated the Downtown Development Corporation has been in existence approximately one year. He stated he feels it would be appropriate to ask them to come and meet with the Downtown Committee and give the Committee a briefing on their activities and what they plan to do in the future, and exchange ideas on matters relating to the downtown area. He indicated he would be glad to issue the invitation to them and without objection, he would refer the status report of the Downtown Development Corporation to the Downtown Committee. Mayor York indicated we need to set a Committee date for the Downtown Committee and he feels that it would be best that it be after July 5. Without objection, the item was so referred.

DOWNTOWN ADVISORY COMMITTEE - ORGANIZATIONAL MEETING TO BE ESTABLISHED

Mayor York indicated the Council has now completed the appointments on the Downtown Advisory Committee. He stated he would be working with Administration to set up an organizational meeting and some briefing sessions and he would work on this later.

MAYOR YORK - TO BE OUT OF TOWN

Mayor York indicated he would be out of town from Friday through the weekend and the following week he would be in Riverside, California relating to an Urban Land Institute Meeting. He indicated Riverside, California is similar in size to the City of Raleigh and they have done a lot of downtown redevelopment work and he hopes that he will be able to pick up some information for the Council.

BUILDING - 400 BLOCK SOUTH BLOUNT STREET - REFERRED TO ADMINISTRATION

Mr. Calloway indicated there is a dilapidated building in the 400 block of South Blount Street on the west side. He indicated the building has a lot of signs on it, debris, etc. He stated he had contacted the Inspections Division about this sometime ago, however, nothing has been done. Without discussion, the item was referred to Administration.

FENCE - SOUTH STATE STREET - REFERRED TO ADMINISTRATION

Mr. Calloway indicated there has been a fence erected along South State Street at the prison property pointing out he assumed the fence was erected by the State. He indicated debris was being dumped in this area and he assumed the fence was put up to try to deter that. He stated, however, the fence is very shoddy and does not compliment the work that has been done in the area. He stated he would like for Administration to look into the matter of the fence to see if anything could be done about its appearance, etc. He stated this is in the 1300/1400 block of South State Street.

TEXT CHANGE 233 COMMERCIAL THOROUGHFARE - PLANNING COMMISSION TO GIVE REPORT; ITEM TO BE ON JULY 5 AGENDA

Mr. Jordan moved that the Planning Commission be asked to make a report on TC-233 no later than Tuesday, June 28, and that it be forwarded to the Council including minutes, backup, etc. on that date and that the matter be placed on the July 5 Agenda for consideration. His motion was seconded by Mr. Calloway. Mr. Walters indicated he would agree with this pointing out one of the things he wanted to bring up was the possibility of having a moratorium on billboards until action is taken on TC-233. He stated the billboard people are putting up billboards right and left and he just thinks it is terrible that the Planning Commission has deferred their recommendation again. Mr. Jordan indicated he feels that the proper action would be call for the report and that would give the Council one week after receiving the report to study it and then the Council could take action on July 5. Mayor York questioned if the

Planning Commission has to make a recommendation on a proposed text change with the City Attorney indicating they do. Mayor York indicated he did not feel it would be fair to call a moratorium on billboard erection pointing out he does not feel that the Council can stop someone from doing something that isn't presently against the law. The motion was stated was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

WATER AND SEWER CONNECTION APPLICATIONS - REFERRED TO ADMINISTRATION

Mr. Jordan indicated he would like for Administration to look into a problem with water and sewer connection applications. He indicated, as he understands it, it is taking a considerable length of time for the State to review water and sewer connect applications and he would like for Administration to look into it to see if there is any way the City can help the State to expedite this process and a report be made back to the City Council. Without objection, the item was referred to Administration.

JULY 4TH CELEBRATION - ANNOUNCED

Mayor York indicated the City is co-sponsoring the July 4th celebration at the Fairgrounds. He stated it is a very good event and he would like to encourage everyone to attend.

PERSONNEL - INCREASE IN VACATION BENEFITS - AUTHORIZED TO BE EFFECTIVE JULY 1

Mayor Pro Tem Walters indicated he discussed the City's vacation policy at the Budget Work Session on June 9. He explained the present policy is as follows:

Employment to three years	-	1 day per month
Three years to 10 years	-	1 1/4 days per month
Ten years to 20 years	-	1 1/2 days per month
Over 20 years service	-	2 days per month

He stated he feels this policy should remain the same except for the period from 10 to 20 years service. He recommended that employees with between 10 and 15 years service continue to receive 1 1/2 days per month, and that those employees with 15 to 20 years service receive 1 3/4 days per month. This would give those seasoned employees three additional days per vacation.

Mr. Walters moved approval of the change in vacation benefits as outlined. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

LONGEVITY PAY PLAN - REFERRED TO LAW AND FINANCE COMMITTEE

Mr. Walters indicated he has thought for long time about the longevity pay plan in effect in the City of Raleigh. He indicated when the longevity pay plan was instituted in July, 1971, there was some discussion about the type and the increments. He explained the amount that the longevity pay has cost the City of Raleigh through the years. He indicated he feels that the longevity pay plan should be studied and maybe have some type graduated scale so that a greater percentage would go to those employees with over 15 years of service. He stated he would move that we refer to Law and Finance Committee a study of the longevity pay plan in the City. His motion was seconded by Mr. Jordan and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

TRASH PICKUP - SMALL COMMERCIAL AND OFFICE CENTERS - REFERRED TO ADMINISTRATION

Mr. Walters indicated we have a special trash pickup policy for residential areas pointing out there is a fee for this. He stated, however, maybe we should look at the possibility of having a special trash pickup for commercial and small office centers. He stated he would like for Administration to look into this possibility indicating he feels that we should make a charge to these complexes of what it costs the City to do it. He stated basically he is asking Administration to look at the possibility of providing special trash pickup for small office and commercial areas. Without objection, the item was referred to Administration.

REQUEST AND PETITION OF CITIZENS - ADD-ON AUTHORIZED

Mr. Walters indicated during the night section of the meeting we have an item under Requests and Petitions of Citizens relating to 509 E. Franklin Street. He indicated as a point of personal privilege, he would like to allow Stephanie Stanford to speak on that item also. Without objection, this was agreed to.

GARBAGE PICKUP - GEORGE W. GRADY - REFERRED TO PUBLIC WORKS COMMITTEE

Mr. Edwards indicated he would like to refer to Public Works Committee a problem related to garbage container and the feedback response. He indicated this relates to George W. Grady in the West Raleigh area. Without discussion, the item was referred to Public Works Committee.

PAN AM - INFORMATION RECEIVED

Mr. Upchurch indicated he had placed in the Council Chamber a poster that was utilized in PAN AM recent announcement that they are placing Raleigh/Durham Airport

on an international route. He stated he feels that this is very important that PAN AM did select Raleigh/Durham over all of the other southeastern airports.

SIGNS - VARIOUS REQUESTS - REFERRED TO INTERGOVERNMENTAL COMMITTEE

Mr. Upchurch indicated there is an item in Public Works Committee relating to ground signs that was brought up by Ben Taylor. He indicated he would like to refer to the Intergovernmental Committee the question of ground signs in O&I zoning districts. He stated in addition the City Council received two memos from the Board of Adjustment, one relating to interpretation of portable signs, and the other relating to signs on vehicles used in connection with limited home business. He stated he would like these three matters referred to the Intergovernmental Committee for discussion at its next meeting. Ms. Babb indicated she had no problem but questioned why they were being referred to Intergovernmental Committee. This was discussed briefly and without objection, the items were referred to Intergovernmental Committee.

GARNER ETJ - REFERRED TO INTERGOVERNMENTAL COMMITTEE

Mr. Upchurch indicated he had been contacted by officials of the Town of Garner who would like to discuss the ETJ. Therefore, he would request that discussion of the Town of Garner/City of Raleigh ETJ be referred to the Intergovernmental Committee for discussion during the next meeting. Without objection, the item was referred to the Intergovernmental Committee.

SENATE BILL 605 - NEUSE RIVER BASIN WATER QUALITY - MAYOR TO WRITE LETTER

Mr. Upchurch presented Council Members with a copy of Senate Bill 605 relating to the Neuse River Basin Water Quality. He indicated this bill calls for the creation of a Committee to oversee the development of the Neuse River Basin. He explained this Committee will consist of ten members and explained the makeup of the Committee. He stated he feels that the City of Raleigh should have a person on this Committee and he feels that the City Council should work very diligently to make sure that one of the members is from the City of Raleigh. Brief discussion took place and Ms. Babb moved that the Council endorse the concept of having one of the Committee members being from Raleigh and asked the Mayor to sign a letter to that affect. Her motion was seconded by Mr. Upchurch and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

PUBLIC HEARING - COMMENTS RECEIVED

Ms. Babb indicated it is clear to her that in a few circumstances we have public hearings that are conducted under the auspices of the City that sometimes the conduct of the hearing is not handled in the manner it should be. She indicated in a public hearing the chairman is not to enter into the dialogue pointing out we had had a letter of complaint about the conduct of one of the public hearings. In response to questioning, Ms. Babb indicated she was not just talking about the Board of Adjustment, as that is what brought it to mind, however, she feels that there are other public hearings that are not conducted in the manner they should. She questioned if there is any way for the City Council or Administration to monitor public hearings so that the Council can make sure that these public hearings are conducted properly. City Attorney McCormick indicated in the case of quasi Judicial Boards that the hearings are not strictly public hearings that the Board has the responsibility to question the people and to get all of the facts. Ms. Babb questioned if there was some point where questioning gets almost to the point of harassment. City Attorney McCormick indicated the only thing the Council could do was to be careful in making appointments to the various Boards. He indicated the Council could establish procedures for various Boards to follow. Mr. Calloway suggested that Ms. Babb share the letter of complaint with the Board involved, with Ms. Babb indicating she could do that but she has a broader concern. She stated she feels the Mayor does a fairly good job in remaining impartial in conducting public hearings, but she was sure that this was not the case for all of the Boards, etc. Mayor York suggested that the Council think about it and try individually to monitor the situation.

REPORT AND RECOMMENDATION OF THE CITY CLERK

MINUTES - JUNE 7, 1983 - APPROVED AS PRESENTED

The City Clerk indicated Council Members received copies of the minutes of the June 7, 1983, Council Meeting. Mayor York pointed out on the June 9 Budget Work Session there was a minor error and made that correction. He stated he knew that the Budget Work Session minutes were not approved by Council but there was an error in one of the marks attributed to him. There was no correction in the June 7 minutes, therefore, Mayor York ruled the minutes approved as distributed.

ANNEXATION - JOE H. HOLMES PROPERTY - CITY CLERK TO CHECK SUFFICIENCY AND SCHEDULE HEARING

The City Clerk indicated she has received a petition for the annexation of the Joe H. Holmes property and she would recommend that the Council direct her to check the sufficiency of the petition and schedule a hearing. Mr. Edwards requested that he be excused from discussion on this matter as his company did the engineering. Without objection, Mr. Edwards was excused. Mr. Jordan moved the Clerk's recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote with all members

voting in the affirmative except Mr. Edwards, who was excused. THE MAYOR RULED THE MOTION ADOPTED.

EXECUTIVE SESSION

Mr. Upchurch moved that the City Council go into Executive Session to hear legal matters and the report from the City Attorney relating to the claim presented by Charlie White. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. Council went into Executive Session at 4:10 p.m. The Council reconvened in open session at 5:00 p.m. Mr. Edwards moved that the meeting adjourn which was seconded by Mr. Calloway and put to a vote which passed unanimously. MAYOR YORK RULED THE MEETING ADJOURNED AT 5:00 P.M. TO BE RECONVENED AT 7:00 P.M.

Gail G. Smith
City Clerk

tw/SP4/1

The City Council of the City of Raleigh met in regular reconvened meeting on Tuesday, June 21, 1983, at 7:00 p.m. in the City Council Chambers with the following present:

Mayor York Presiding
Ms. Babb
Mr. Calloway
Mr. Edwards
Mr. Jordan
Mr. Keller
Mr. Walters
Mr. Upchurch

The Mayor called the meeting to order and the following items were discussed with action taken as shown.

REQUESTS AND PETITIONS OF CITIZENS

ENCROACHMENT - 213 FAYETTEVILLE STREET MALL - APPROVED WITH CONDITIONS

Scott Snavely, representing Holly's Hallmark Shop, 213 Fayetteville Street Mall, was at the meeting to request permission to recanvas the existing crank awning at that address. He presented pictures of the shop pointing out the awning seems to have been there forever. He stated he just wants to put a new canvas and the canvas will be a fire retardant material that meets the code. He stated he wanted a new canvas to make it look better and to match the new colors of his store. City Manager Zachary indicated no sign would be allowed on the awning and the Inspections Department indicates approval with the provision of submission and approval of plans for a building permit. Brief discussion took place and Mr. Jordan moved approval of the encroachment to recanvas the existing crank awning at 213 Fayetteville Street Mall, with the understanding all building permits are applied for and secured and appropriate encroachment agreement is executed. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

SUBDIVISION APPROVAL MODIFICATION - COMMERCIAL ASSOCIATES - REFERRED TO ADMINISTRATION

T. Ed Bailey, representing Commercial Associates, was at the meeting to request a modification of a subdivision approval. Mr. Bailey indicated Council Members received information on his request in their Agenda packet. He stated basically what they need is to have two things happen simultaneously if possible. He stated they want to do the public improvements - streets, utilities, etc. at the same time the building is being built. He indicated they agree that it should be bonded and before it can be occupied they would have to have a CO from the City. He stated they just would like to have an opportunity to take advantage of the good economic times and building conditions. He stated he would like for the Council to give Administration the right to allow his request based on them providing bond, etc. City Manager Zachary indicated the Public Utilities Director has indicated if the information included in Mr. Bailey's letter represents the facts correctly, then he would have no objection. City Manager Zachary indicated the Planning Director does not feel there is any action necessary because Mr. Bailey has submitted the subdivision information. Mr. Bailey indicated there are several engineers involved and as he understands it they have submitted an application for a building permit based on one building on one lot of 82 acres. He stated they are getting various opinions. After brief discussion, it was agreed to refer this matter to Administration, as it was felt it could be held Administratively.

WOODSTOVE - REQUEST TO UTILIZE - REMOVED FROM THE AGENDA

Kenneth S. Huang had requested permission to discuss utilization of a woodstove at his home on Dartmouth Road. Mr. Huang was not at the meeting, therefore, the item was removed from the Agenda with no action taken.

ENCROACHMENT - DEVEREAUX STREET - APPROVED CONDITIONALLY

David Crotts, representing the partnership of Crotts, Johnson and Newlin, indicated this partnership has made an offer on a piece of property in the Historic Glenwood neighborhood on Devereaux Street adjoining the Norfolk and Southern Railroad. He indicated they plan to convert the house from office use back to residential and have already arranged the financing and other contingencies have been met. He stated after an extensive title search, their attorney found that a very small corner of the house and an air conditioning unit is encroaching on the City owned right-of-way. He indicated they have secured an encroachment agreement from the owners and they would like an encroachment agreement from the City. The City Manager indicated that this encroaches on a alley that has never been opened and not anticipated to be opened. Mr. Jordan moved that the encroachment be authorized contingent upon all of the paperwork being handled by Administration. His motion was seconded by Ms. Babb and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ENCROACHMENT - 112 FAYETTEVILLE STREET MALL - APPROVED CONDITIONALLY

David R. Shearon, representing Tenntex, was at the meeting to request an encroachment agreement relating to 112 Fayetteville Street Mall. He indicated as a part of the title work on this building it was discovered that the building has been encroaching on the Salisbury Street right-of-way a maximum of .7 feet. He stated there is also a door header that encroaches .6 feet. He stated the new owners plan to remodel the

inside of the building and they would request an encroachment agreement that allows these minor encroachments as long as the building remains in its present location. City Manager Zachary indicated he had no problem as long as they were not talking about an awning with a sign. Mr. Shearon indicated that had been discussed, but what they are requesting is an encroachment agreement to cover the existing encroachment of the building. Mr. Jordan moved that the encroachment be approved subject to necessary agreements being provided. His motion was seconded by Mr. Walters and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ENCROACHMENT - WAKE COUNTY COURTHOUSE - APPROVED WITH CONDITIONS

T. Barker Dameron, representing Olsen Associates in Wake County, was at the meeting to request permission to encroach under City right-of-way for the burial of a fuel tank on Salisbury Street next to the Wake County Courthouse. Mr. Dameron indicated this would be fuel for the emergency generators for the health and safety of the occupants in case of an emergency. City Manager Zachary indicated the Police Department has no objections. He stated the Public Works Department recommend approval provided the necessary permits for doing the work are secured and that no hazards exist during and after installation for pedestrians. The Public Works Department's recommendations were made with the understanding that the refueling point will be placed beneath a properly secured, flush mounted cover that will not present a hazard to pedestrians and that the vent pipes will not emerge on the sidewalk. City Manager Zachary indicated the Fire Department has reviewed the request and have no problem providing the following fire prevention codes are met:

16:13 (d) Permit required for storage of flammable or combustible liquids in stationary tanks.

16:14 Tanks, equipment and apparatus listed by a nationally recognized testing agency.

16:23 Underground tanks installation:

(a) Class II or III tanks distance from basement shall not be less than one foot.

(b) Surrounded with at least six inches of noncorrosive inert material such as clean sand, earth or gravel well tamped. Covered with a minimum of two feet of earth, or not less than one foot of earth with four inches of reinforced concrete.

(c)

1. Use protective coating or wrapping.
2. Cathodic Protection.
3. Corrosion resistant material of construction.

Mr. Edwards moved approval of the encroachment subject to all of the conditions as outlined by the Manager being met. His motion was seconded by Mr. Jordan and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

NUISANCE - 509 EAST FRANKLIN STREET - REFERRED TO LAW AND FINANCE COMMITTEE; ADMINISTRATION TO CONTINUE EFFORTS

Mayor York indicated during the afternoon section of the Agenda, it was agreed to add Stephanie Stanford at this section, therefore, the Council would allow approximately ten minutes on this item.

William E. Fearn presented a petition on behalf of the citizens of Oakdale and Oakwood Community. He indicated the citizens are concerned about the boarding house located at 509 E. Franklin Street. He stated the reason they presented the petition is the violet acts that occur there, public drunkenness, fighting, profanity which can be heard throughout the neighborhood and the unkept condition of the property. He stated children are also kept in the house from time to time and it is evident that they are verbally and physically abused. He indicated the people of the neighborhood feel that they should not have to tolerate these abuses and conditions and asked the Council to declare the house a public nuisance. Mr. Fearn read remarks from various people who had signed the petition indicating they had seen children being verbally abused, drunkenness, broken bottles, attacks by dogs, foul language, fear of letting their children be alone, etc. Mr. Fearn presented the petition and copy of the comments to the Council.

Gail Montcastle indicated she lives directly across the street. She stated she has a six year old that sees and hears all that goes on at this house and his questions are extremely hard to answer. She indicated when she is out in her yard or walks down the street, she has to undergo verbal abuse against herself and children. She stated she did not want the kids in the neighborhood to have to listen to what goes on. Stephanie Stanford indicated she just moved into this section about two months ago. She stated they are very interested in the restoration effort and want to help the City in this effort. She stated she has heard vulgar language and pointed out she does not have central air condition and keeps her windows up at night and is woke up all during the night. She stated she had heard children crying in the night and it is hard to sleep and she is afraid of what might happen when she leaves home. She asked the Council to help clean up this area so that they can continue their efforts to restore the area. Debbie Stone indicated she lives beside 509 E. Franklin Street.

She stated there are children living in the house and several times she has heard the children being verbally and physically abused. She stated the condition of the yard is deplorable. She stated she has also witnessed animal abuse at this area and they just did not feel that the neighborhood should be subjected to all of this. Mr. York indicated that everyone recognizes and agrees that there is a problem. Mr. Walters indicated he was not sure what the Council can do pointing out he is very familiar with this situation. He stated he would like to refer this to one of our Committees and let them look at it and see what can be done. Mr. Walters moved that the alleged nuisance at 509 E. Franklin Street be referred to the Law and Finance Committee. His motion was seconded by Mr. Calloway.

Bill Thompson indicated there are eleven or twelve people who live at this house. He stated he feels that all of the problems can be settled. He stated he feels that if the Council would look at the petitions submitted, that they would see that the people who signed the petitions are located so that what goes on at the house should not bother them. City Manager Zachary indicated normally when an item is referred to Committee it stays the action of Administration. He pointed out Administration has some actions on the way that they feel will help some of the problems. He stated there are more people than are allowed in the house and the owner will be notified of that tomorrow morning. He stated there are also violations of the Housing Code and the inspector will follow the standard procedure in getting these violations corrected. After brief discussion, the motion was amended to refer the alleged public nuisance at 509 E. Franklin Street to the Law and Finance Committee and direct Administration to follow through with the work they have started on and report to the Law and Finance Committee, and they can look at any other actions that might be taken to alleviate the problems. By general consensus, the motion as amended was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

DRAINAGE PROBLEM - SNELLING ROAD AREA - REFERRED TO PUBLIC WORKS COMMITTEE

Joseph Winters, Jr., 408 Snelling Road, was at the meeting explaining problems with drainage in his area. He presented a map of the area showing where the problem is occurring. He indicated there are three storm drains in the street that are not connected and with all of the construction going on, they are just having more and more problems. He indicated the problem is the result of Zoning Case Z-10-82 pointing out the applicant agreed to have the water problem corrected. He stated, however, he has talked to the applicant in that case and the problem has not been corrected. He explained Lincoln Development Company has three office buildings, there are apartments constructed and more condominiums going in. He stated, at the present time, water that flows from Six Forks and Millbrook Road runs into three storm drains which in turn run into an open ditch along the banks of downstream property owners. He stated he was at the meeting to request the City to have the letter submitted in this application in force or have the City correct the present conditions. City Manager Zachary indicated it is Administration's belief that the agreement is an agreement between the property owners and cannot be enforced by the City. Discussion took place as to where the water goes after it leaves property at 408 Snelling Road. After brief discussion, Mr. Edwards moved that the drainage problem on Snelling Road be referred to the Public Works Committee. His motion was seconded by Mr. Upchurch and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

BROOKVIEW SUBDIVISION - AUTHORIZATION TO INSTALL BRICK SIDEWALKS AND VARIANCE IN STORM WATER CULVERT - APPROVED

Phillip Post, representing Bridger Properties, was at the meeting to request a variance to utilize Armco metal arch culvert in Wyldewood Drive, a 27-foot public street. He indicated they propose to construct a super span arch culvert furnished by Armco Incorporated. He stated detailed drawings and calculations will be submitted to and approved by the engineering department and other departments of the City. He explained foundations for the arch will be reinforced concrete footings and the natural water channel will remain intact. He explained the reasons he wants to utilize the metal arch. He stated the second part of his request relates to a variance for a 5-foot brick sidewalk. He stated these sidewalks are not required by the City Code nor by the approved site plan. He stated, however, they want to install sidewalks, 5 feet in width, with a 3.5 foot landscape strip between the back of curb and edge of the sidewalk on both sides of Wyldewood Drive and they want these to be brick. He explained the reasons for the sidewalks. Chief Engineer Thomas stated that he has no objection to the brick sidewalk, as long as the sidewalks cover an entire block. He stated, however, he is unaware of any unusual construction conditions on this site and in keeping with existing policy, he would recommend the use of concrete pipe or pipes with head walls and wing walls of sufficient size to carry the storm water if the required size pipe is available locally. Discussion took place as to the size pipe that would be required, after which, Mr. Edwards moved approval of the use of the metal arch, as well as the variance for the use of brick sidewalks. His motion was seconded by Mr. Walters and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ARTSPACE - REFERRED TO THE DOWNTOWN COMMITTEE

Robert Zaytoun, representing the Artspace Board of Directors, was at the meeting and presented the Council with a brochure on Artspace. He acknowledged the members of the Board who were present and approximately ten people stood. He pointed out over the past 3 1/2 years, they have been actively involved in developing the concept of an Artspace in the City of Raleigh. He pointed out this work began as a subcommittee of the Arts Commission and they feel that they are very close to bringing the project to completion. He explained work that they have done which includes completion of

the schematic designs of the building, the jurying process and the fact that they are at the point of having ten artists, etc. He indicated they were at the meeting to ask support of the Council to further the endorsement that Artspace be in the Moore Square master planning process. He stated they would like an opportunity to work out the details with the appropriate committee. Mayor York commended Mr. Zaytoun and the members of the Board of Directors for all the work they have done. He indicated he feels that this could be worked out, but the details need to be looked at, therefore, he would request that Artspace, Incorporated be referred to the Downtown Committee. Without objection, the item was so referred.

UNFIT BUILDINGS AND DWELLINGS UNFIT FOR HUMAN HABITATION

UNSAFE DWELLING - 6401 RAY ROAD - REPEALING ORDINANCE ADOPTED

Housing Inspections Supervisor Bartholomew indicated Ordinance 1983-120 declared the dwelling at 6401 Ray Road unsafe. He indicated the building has been demolished by the owner, therefore, he would recommend repealing the ordinance. Mr. Walters moved adoption of an ordinance repealing Ordinance 1983-120 relating to 6401 Ray Road. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) 138

AN ORDINANCE REPEALING ORDINANCE NO. (1983) 120 RELATING TO 6401 RAY ROAD, PROPERTY OF PEPPERWOOD ASSOCIATES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA THAT:

Section 1. That Ordinance No. (1983) 120 is hereby repealed in its entirety inasmuch as the property which is the subject of that ordinance has either been repaired or demolished.

Section 2. That a certified copy of this ordinance be recorded in the office of the Wake County Register of Deeds.

Section 3. This ordinance shall become effective upon adoption.

Adopted: June 21, 1983

PUBLIC NUISANCE - 117 DARTMOUTH ROAD - REPEALER ORDINANCE ADOPTED

Housing Inspections Supervisor Bartholomew indicated Ordinance 1983-104 adopted on April 19, 1983, declared 117 Dartmouth Road a public nuisance. He indicated the owner has abated the nuisance. Therefore, he would recommend repeal of the ordinance. Mr. Calloway moved that Ordinance 1983-104 be repealed. His motion was seconded by Mr. Edwards and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. 1983-139

AN ORDINANCE TO REPEAL ORDINANCE NUMBER 1983-104 RELATING TO A NUISANCE AT 117 DARTMOUTH ROAD.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That ordinance number 1983-104 relating to property at 117 Dartmouth Road be repealed in its entirety as the alleged nuisance has been abated.

Section 2. That a certified copy of this ordinance be recorded in the Office of Wake County Register of Deeds.

Section 3. This ordinance shall become effective upon adoption.

Adopted: June 21, 1983

MATTERS SCHEDULED FOR PUBLIC HEARING

UNSAFE DWELLING - 809 EAST HARGETT STREET - ORDINANCE ADOPTED

This was a hearing to consider adoption of an ordinance finding the dwelling at 809 E. Hargett Street unsafe and directing that it be demolished. The property is in the name of Percy L. Foxwell. The Mayor opened the hearing. No one ask to be heard, thus, the hearing was closed. Mr. Walters moved adoption of an ordinance finding the dwelling at 809 East Hargett Street unsafe. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. 1983 - 140

AN ORDINANCE FINDING THAT THE BUILDING ON PROPERTY AT 809 EAST HARGETT STREET IN THE CITY OF RALEIGH IS UNSAFE AND DIRECTING THAT IT BE DEMOLISHED

WHEREAS, the City Council of the City of Raleigh finds that the building on property described herein is unsafe under the provisions of Part 7, Chapter 4, Article D of the Code of the City of Raleigh, North Carolina and entitled "Unsafe Buidlings," that all of the provisions of said article have been complied with as a condition of the adoption of this ordinance, and

WHEREAS, the Building on said premises should be demolished as directed by the Inspections Superintendent for the reason that the same is an unsafe building as described in Part 7, Chapter 4, Article D of the Code of the City of Raleigh.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to demolish the building in the City of Raleigh at the following location:

PROPERTY OWNER	LOCATION
Percy L. Foxwell	809 East Hargett Street

Section 2. That the cost of demolition of the building shall become a lien upon the land upon which the building was located as provided in Article IV of Chapter 7 of the Code of the City of Raleigh, North Carolina.

Section 3. That this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. That this ordinance shall become effective June 21, 1983.

Adopted: June 21, 1983

UNFIT DWELLING - 1108 OAKWOOD AVENUE AND 1217 BOYER STREET - WITHDRAWN

This was a hearing to consider adoption of an ordinance declaring the dwellings at 1108 Oakwood Avenue and 1217 Boyer Street unfit and directing that they be placarded. Housing Inspections Supervisor Bartholomew requested that these items be withdrawn from the Agenda, as the repairs have been made by the property owners. Without objection, the items were withdrawn with no action taken.

PUBLIC NUISANCE COST CONFIRMATION - 608 PEARTREE LANE - RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution confirming charges in the amount of $608 against 608 Peartree Lane, Lot 563, Map 553, in the name of Mamie Y. Mills. The charges are for abating public nuisances at that location. Mayor York opened the hearing. No one ask to be heard, thus the hearing was closed. Mr. Walters moved adoption of a resolution confirming the charges against 608 Peartree Lane as outlined. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. 1983 - 275

A RESOLUTION ASCERTAINING AND COMPUTING THE TOTAL COST OF ABATING CERTAIN NUISANCES IN THE CITY OF RALEIGH, CONFIRMING THE SAME AND ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the City Council of the City of Raleigh, pursuant to Chapter 160A of the General Statutes and Sections 2.14(33), (51), 22-51 and Sections 6.35 and 6.36 of the Charter of the City of Raleigh (Chapter 1184 of the 1949 Session Laws of North Carolina as amended) has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed; and,

WHEREAS, pursuant to said Statutes the City Council of the City of Raleigh has adopted Part 7, Chapter 5 of the Code of the City of Raleigh, relating to the abatement of nuisances; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the nuisances as set out herein have been abated at the cost set out herein, pursuant to the Code of the City of Raleigh and more specifically, Part 7, Chapter 5.

Section 2. That the City Council of the City of Raleigh hereby confirms the cost of the abatement of the nuisances set out herein, pursuant to the General Statutes above referred to and makes the same a lien against the premises as provided in Part 7, Chapter 5 of the Code of the City of Raliegh.

PROPERTY OWNER	LOCATION	ABATEMENT COST
Mrs. Mamie Y. Mills	608 Pear Tree Lane Lot 563, Map 553 ID# 0079110	$608

Section 3. That this resolution shall become effective June 21, 1983.

Adopted: June 21, 1983

ANNEXATION - PLEASANT RIDGE ESTATES - ORDINANCE ADOPTED

This was a hearing to consider the contiguous annexation of Sections 15, 16, 17 and 18 of Pleasant Ridge Estates. The hearing is pursuant to petition, notification and

advertisement as required by law. The Mayor opened the hearing. No one ask to be heard, thus the hearing was closed. Mr. Edwards moved adoption of an ordinance annexing the area as outlined, effective June 30, 1983. His motion by seconded by Mr. Walters and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) 141

AN ORDINANCE TO EXTEND THE CITY LIMITS OF THE CITY OF RALEIGH BY ANNEXING PROPERTY CONTIGUOUS TO THE CITY LIMITS DESCRIBED AS PLEASANT RIDGE ESTATES

WHEREAS, pursuant to provisions of Section 160A-31 of the General Statutes of North Carolina, public notice was given by publication in a newpaper in Wake County with a general circulation in the municipality, describing by metes and bounds the territory herein described to be annexed to the City of Raleigh, notifying residents of the City of Raleigh that a meeting of the City Council would be held on June 21, 1983, at 7:00 p.m., or as soon thereafter as the matter could be heard, in the Council Chamber, for the purpose of considering the annexation of such territory to the municipality; and

WHEREAS, no petition was filed at said meeting of the City Council objecting to the annexation of said territory and asking that an election be held theron; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALIEGH:

Section 1. That the following described property be and the same is hereby annexed to the City of Raleigh as of June 30, 1983:

PLEASANT RIDGE ESTATES, SECTIONS 15, 16, 17, 18

BEGINNING at the northwesternmost point of Lot 8, Part Eight, Pleasant Ridge Estates as shown on that map recorded in Book of Maps 1967, Page 376, Volume 3, Wake County Registry, said point also being in the existing Raleigh City Limits (5-1-83); thence with said City Limits South 16° 28 minutes West 215.0 feet to a point in the southern right-of-way line of Sierra Drive; thence along said right-of-way line South 73° 32 minutes East 329.55 feet to an iron pin; thence South 16° 28 minutes West 145.46 feet to an iron pin; thence leaving said City Limits North 73° 44 minutes 43 seconds West 968.42 feet to an iron pin; thence North 06° 41 minutes 04 seconds East 778.98 feet to a point in the southern right-of-way line of Interstate 40; thence along said right-of-way line North 87° 58 minutes 02 seconds East 805.88 feet to a monument located in said right-of-way line; thence continuing along said right-of-way line North 75° 28 minutes 52 seconds East 684.44 feet to a point in said right-of-way line; thence South 67° 23 minutes 34 seconds East 559.94 feet to an iron pin, said point being in said existing City Limits; thence with said City Limits South 0° 10 minutes East 90.89 feet to a point; thence South 65° 49 minutes West 180.50 feet to a point; thence continuing along the eastern right-of-way line of Shenandoah Place along the arc of a curve having a length of 108.74 feet and a radius of 241.52 feet to a point in said right-of-way; thence South 40° 09 minutes West 50.0 feet to a point in the western right-of-way line of Shenandoah Place; thence South 38° 41 minutes West 82.37 feet to a point; thence North 84° 27 minutes West 122.17 feet to a point; thence North 89° 30 minutes West 351.62 feet to a point; thence South 48° 17 minutes West 150.0 feet to a point; thence South 27° 44 minutes East 126.15 feet to a point; thence South 40° 58 minutes West 140.0 feet to a point in the northern right-of-way line of Cavalier Street; thence along said right-of-way line North 49° 02 minutes West 45.0 feet to a point; thence South 40° 58 minutes West 496.75 feet to a point in the western property line of Lot 6, Part Eight, Pleasant Ridge Estates as shown on that map recorded in Book of Maps 1967, Page 376, Volume 3, Wake County Registry; thence South 16° 28 minutes West 103.91 feet to a point in the property line of Lot 7, Part Eight, Pleasant Ridge Estates as shown on that map recorded in Book of Maps 1967, Page 376, Volume 3, Wake County Registry; thence North 69° 59 minutes West 80.10 feet to the point and place of BEGINNING and containing 33.343 acres, more or less, as shown on that survey by John A. Edwards & Company entitled "Pleasant Ridge Estates, owner - Eastman & Company, Inc." and dated November 22, 1982.

Section 2. It being understood and agreed that the developer will, at his expense, construct streets and install utilities within the annexed area.

Section 3. That the Mayor of the City of Raleigh shall cause an accurate map of such annexed territory, together with a copy of this oridinance, duly certified, to be recorded in the office of the Register of Deeds for Wake County, and the office of the Secretary of State of North Carolina.

Section 4. That this ordinance shall become effective June 30, 1983, as required by law.

Adopted: 6/21/83

Effective: 6/30/83

ANNEXATION - GREYSTONE 5 - ORDINANCE ADOPTED

This was a hearing to consider the contiguous annexation of Greystone 5. The hearing is pursuant to petition, notification and advertisement as required by law. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed.

Mr. Edwards moved adoption of an ordinance annexing the area as outlined, effective June 3, 1983. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) 142

AN ORDINANCE TO EXTEND THE CITY LIMITS OF THE CITY OF RALEIGH BY ANNEXING PROPERTY CONTIGUOUS TO THE CITY LIMITS DESCRIBED AS GREYSTONE 5

WHEREAS, pursuant to provisions of Section 160A-31 of the General Statutes of North Carolina, public notice was given by publication in a newspaper in Wake County with general circulation in the municipality, describing by metes and bounds the territory herein described to be annexed to the City of Raleigh, notifying residents of the City of Raleigh that a meeting of the City Council would be held on June 21, 1983, at 7:00 p.m., or as soon thereafter as the matter could be heard, in the Council Chamber, for the purpose of considering the annexation of such territory to the municipality; and

WHEREAS, no petition was filed at said meeting of the City Council objecting to the annexation of said territory and asking that an election be held thereon; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following described property be and the same is hereby annexed to the City of Raleigh as of June 30, 1983:

GREYSTONE #5

Beginning at a point in the northern right-of-way of existing Sawmill Road, said point being in the existing City Limit Line; thence with said line South 04° 19' 24" East 99.22' to a point; thence leaving said line South 32° 53' 07" West 195.47' to the beginning of a curve; thence with said curve to the right 663.63', said curve having a radius of 775.04'; thence South 81° 56' 41" West 194.84' to the beginning of a curve; thence with said curve to the left 950.16', said curve having a radius of 1546.77'; thence South 46° 44' 55" West 249.43' to the beginning of a curve; thence with said curve to the right 714.88', said curve having a radius of 650.43'; thence North 70° 16' 42" West 150' to the beginning of a curve; thence with said curve to the left 238.49', said curve having a radius of 801.55'; thence North 87° 19' 33" West 496.50' to a point in the eastern right-of-way of N. C. Highway #50; thence with said right-of-way North 04° 47' 57" West 452.19; to the southwest corner of the property of Richard and Margie Peterson; thence with Peterson North 82° 07' 34" East 415.93' to a point; thence continuing with Peterson North 04° 42' 25" East 418.07', to the northeast corner of the Peterson land and a corner in the land of Development Assoc., Inc.; thence with Development Assoc., Inc. land the following courses: North 38° 55' 29" East 170', South 40° 53' 06", East 418.07', South 80° 26' 23", East 450°, South 81° 44' 01", East 492.25', North 62° 31' 05", East 343.78', North 22° 05' 02", West 493.70', North 56° 01' 42", West 97.06', North 27° 28' 32", West 180.00', North 71° 17' 50", West 166.52', North 08° 00', East 361.32', North 70° 07' 30", East 1024.44' to a concrete monument, a corner of the land of now or formerly Lawrence B. Shuping; thence with said property South 87° 58' 47", East 248.97' to a point near a small creek, also being the corner of the existing City Limit; thence with the creek and City Limit Line the following courses: South 08° 40' 14", East 156.87', South 76° 53' 44", East 163.87', South 04° 09' 55", East 287.98', South 19° 06' 43", East 173.11', South 53° 13' 10", East 137.89', South 63° 24' 48", East 97.61', South 54° 20' 32", East 262.77', South 33° 50' 27", East 46.97' to the point of BEGINNING, containing 80.5703 acres as shown on plat entitled, "Annexation Plat Greystone Subdivision", dated May 30, 1980, and revised May 21, 1981, February 8, 1982, June 4, 1982; and April 26, 1983, prepared by Bass, Nixon & Kennedy, Inc.

Section 2. It being understood and agreed that the developer will, at his expense, construct streets and install utilities within the annexed area.

Section 3. That the Mayor of the City of Raleigh shall cause an accurate map of such annexed territory, together with a copy of this ordinance, duly certified, to be recorded in the office of the Register of Deeds for Wake County, and in the office of the Secretary of State of North Carolina.

Section 4. That this ordinance shall become effective June 30, 1983.

Adopted: 6/21/83

Effective: 6/30/83

SIDEWALK INSTALLATION - SIX FORKS ROAD - HEARING TO CONSIDER CONFIRMATION - RESOLUTION ADOPTED

This was a hearing to consider confirming costs for the installation of sidewalks on Six Forks Road, according to charges outlined in Resolution 1983-237, adopted on May 17, 1983. Chief Engineer Thomas explained the location of the sidewalks. The Mayor opened the hearing. No one ask to be heard, thus the hearing was closed. Mr. Walters moved adoption of a resolution confirming the charges as outlined. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. 1983-276

RESOLUTION CONFIRMING CITY OF RALEGIH SPECIAL SIDEWALK ASSESSMENT ROLL

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That pursuant to notice of the completion of the assessment rolls hereinafter referred to, and notice of the meeting of the City Council hereinafter referred to, published according to law in The Raleigh Times, a newspaper legally qualified to publish legal advertising and following a public hearing on the allegations and objections of all interested persons appearing and making proof in relation therto at a meeting of the City Council for that purpose held on the 21st day of June, 1983, at the time and place fixed in accordance with Statute, the City Council of the City of Raleigh does hereby approve, ratify and confirm the assessments heretofore made by Resolution 1983-237 adopted on the 17th of day May, 1983, which assessments appear on the "City of Raleigh Special Sidewalk Assessment Roll No. 192", against the lots and parcels of land abutting direclty on the improvements, according to the extent of their respective frontage thereon, all as shown on said assessment rolls which are hereby incorporated into and made a part of this resolution by reference thereto, the assessment roll being on file in the office of the City Clerk and Treasurer.

Section 2. That from the time of the adoption of the resolution confirming the said assessments, the assessments embraced in the aforesaid assessment roll shall be a lien on the real estate against which the same are assessed, as provided by Statute.

Section 3. That the amount of the assessment shall be payable in cash, or if any property owner should so elect and give notice of the fact in writing to the City of Raleigh in accordance with the provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessment in ten equal annual installments, such installments to bear interest at the rate of 6% per annum from the date of confirmation of the assessment rolls, payable annually upon the unpaid balance of the assessment rolls.

Section 4. That the assessments confirmed by this resolution and all payments of principal and interest thereof, shall be recorded in "The City of Raleigh Special Assessment Book" which shall be maintained and kept by the City Revenue Collector, who is hereby charged with the duty of collecting and accounting for all sums of principal and interest assessed by this resolution.

Adopted: June 21, 1983

FLOOD INSURANCE STUDY - PROPOSED CHANGES - ORDINANCE ADOPTED

This was a hearing for the purpose of considering the following applications to modify the City of Raleigh's Flood Insurance Study:

Item 1983-FP-1. Southwest prong of Beaverdam Creek between Brooks Avenue and Cambridge Road (Station 33+00 to Station 12+75). Modify flood boundary maps, water surface profiles, and floodway data.

Item 1983-FP-2. Crabtree Creek in the vicinity of Lassiter Mill Road (Station 0+00 to Station 9+00). Modify floodway boundary.

Item 1983-FP-3. Beaverdam Creek at its confluence with Crabtree Creek (Station 0+00 to Station 9+00). Modify floodway boundary.

Item 1983-FP-4. Neuse River from Buffaloe Road to Poole Road (Station 11400+00 to Station 11815+50). Modify flood boundary maps, water surface profiles, floodway data, and flood insurance zones.

Item 1983-FP-5. Crabtree Creek from confluence with Neuse River to New Bern Avenue (Station 0+00 to Station 220+00). Modify flood boundary maps, water surface profiles, floodway data, and flood insurance zones.

Item 1983-FP-6. Walnut Creek from confluence with Neuse River to confluence with Big Branch (Station 0+00 to Station 140+00). Modify flood boundary maps, water surface profiles, and flood insurance zones.

Item 1983-FP-7. Perry Creek from confluence with Perry Creek East Branch tributary to cross-country transmission line (Station 46+30 to Station 103+00). Modify flood boundary maps, water surface profiles, and flood insurance zones.

Item 1983-FP-8. Perry Creek East Branch from confluence with Perry Creek to Fox Road (Station 0+00 to Station 19+50). Modify flood boundary maps, water surface profiles, and flood insurance zones.

Mayor York and Mr. Edwards requested to be excused from participation in the item entitled, "1983-FP-1," both indicating they had a proposed interest in that property. Without objection, it was agreed that they would be excused from participation in that matter.

Conservation Engineer Harry Mitchell explained the purpose of the hearing and the applications as submitted. The Mayor opened the hearing to the public.

Kathy Lufkin, Beaverwood Drive, asked to speak in relation to Items 1983-FP-7 and 8. Ms. Lufkin indicated she represented members of the Neuse River area and they are against any increase in density in this area. She indicated she feels that the City should have plans to solve the sewer problems before they change the floodplain boundaries. She indicated in July, the City has a hearing to consider increasing density from Residential-1 to Residential-10 and pointed out this area floods all the time. She stated there are 7 houses on Beaverwood Drive that flood all the time and she does not understand the City considering changing the floodplain boundaries. Lengthy discussion took place as to what this hearing was all about with Mr. Mitchell explaining that he thought the flooding problems referred to by Ms. Lufkin are the result of some local problem such as inadequate storm drainage, etc. and do not relate to this request to change the floodplain boundaries. Ms. Lufkin expressed her dissatisfaction with this proposal pointing out this area is outside the City and she doesn't understand how the City can tell her what can occur in her area and she doesn't get an opportunity to vote.

Mr. Upchurch questioned 1983-FP-1 and questioned what the proposed change is in that area. Mr. Mitchell indicated the original flood insurance study showed the existence of the lake and the lake has been drained and this establishes the nonbuildable area. The fact that the studies and the field survey work has been done by the Corp of Engineers was discussed with Mr. Keller indicating he does not like to miss the opportunity of speaking out against work of the Corp of Engineers. He explained problems on the Roanoke River and the fact that he had spend 35 years fighting with the Corp of Engineers trying to protect this area. After other discussion with various Council Members pointing out that this is just flood redelineations and the procedure that we have to follow, Mr. Edwards moved approval of the redelineations as outlined subject to approval of FEMA. His motion was seconded by Mr. Calloway and after brief discussion, put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) 143

AN ORDINANCE TO AMEND THE RALEIGH CITY CODE RELATING TO MODIFYING FLOODPLAIN AREAS, BOUNDARIES AND ELEVATIONS IN THE CITY OF RALEIGH AND ITS EXTRATERRITORIAL JURISDICTION AREA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10-4003 of the Raleigh City Code, which includes the Official Flood Hazard Boundary Maps and other Official Data Tables, be and the same is hereby amended as follows:

Item 1983-FP-1. Southwest prong of Beaverdam Creek between Brooks Avenue and Cambridge Road (Station 33+00 to Station 12+75). Modify flood boundary maps, water surface profiles, and floodway data.

Item 1983-FP-2. Crabtree Creek in the vicinity of Lassiter Mill Road (Station 574+00 to Station 546+00). Modify floodway boundary.

Item 1983-FP-3. Beaverdam Creek at its confluence with Crabtree Creek (Station 0+00 to Station 9+00). Modify floodway boundary.

Item 1983-FP-4. Neuse River from Buffaloe Road to Poole Road (Station 11400+00 to Station 11815=50). Modify flood boundary maps, water surface profiles, floodway data, and flood insurance zones.

Item 1983-FP-5. Crabtree Creek from confluence with Neuse River to New Bern Avenue (Station 0+00 to Station 220+00). Modify flood boundary maps, water surface profiles, floodway data, and flood insurance zones.

Item 1983-FP-6. Walnut Creek from confluence with Neuse River to confluence wiht Big Branch (Station 0+00 to Station 140+00). Modify flood boundary maps, water surface profiles, and flood insurance zones.

Item 1983-FP-7. Perry Creek from confluence with Perry Creek East Branch tributary to cross-country transmission line (Station 46+30 to Station 103+00). Modify flood boundary maps, water surface profiles, and flood insurance zones.

Item 1983-FP-8. Perry Creek East Branch from confluence with Perry Creek to Fox Road (Station 0+00 to Station 19+50). Modify flood boundary maps, water surface profiles, and flood insurance zones.

Section 2. That all laws and clauses of laws of conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall not become effective until a letter stating approval from the Federal Insurance Administrator is received by the City.

Adopted: 6/21/83

Effective: See Section 3

SURPLUS PROPERTY - COUNTRY CLUB HILLS - RESOLUTION ADOPTED

The City Clerk indicated during the last Council Meeting, the Council declared Lot 299 in Country Club Hills surplus property and directed that it be sold through the upset bid method. She indicated this process has been followed and she would recommend that the Council adopt a resolution authorizing the sale of the property to Henry Sink, Jr. for $20,500.00 and that the Mayor be authorized to sign a special warranty deed. Mr. Jordan moved the Clerk's recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) 277

A RESOLUTION TO AUTHORIZE THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF RALEIGH

WHEREAS, the City of Raleigh has acquired certain real property, said property being described more fully as follows:

City owned Lot #299 in Country Club Hills on Alamance Drive according to plat recorded in Book of Maps 1957, Page 119, Wake County Registry.

WHEREAS, Henry H. Sink, Jr. has offered to purchase said property for the price of $20,500.00; and

WHEREAS, Chapter 160A-266 et. seq., of the North Carolina General Statutes permits the City of Raleigh to sell said property subject to upset bid provisions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

1. That the City Council on June 21, 1983, ascertained that all requirements of Chapter 160A-266 et. seq., have been followed in the proposed sale of the above described property.

2. That the City of Raleigh will sell the herein before described property to Henry H. Sink, Jr. for the sum of $20,500.00.

Adopted: 6/21/83

JOINT HEARING BEFORE THE PLANNING COMMISSION AND THE CITY COUNCIL

The City Council went into a Joint Hearing with the Planning Commission to receive input on CP-4-83 - Land Use Plan for the North Planning District. The minutes of that part of the meeting will be covered in a separate set.

Gail G. Smith
City Clerk

tw/SP4/2